

the job he was doing it kept him humble, even if he hadn't been inherently so.

He was born August 3, 1903, on a farm near Dana, Ind., where his father, William C. Pyle, still lives. His mother, about whom he wrote from time to time in his column, died while he was in England in March 1941.

"T" FOR TAYLOR

His full name was Ernest Taylor Pyle—Taylor was his mother's maiden name. But to everybody he was "Ernie."

He was married July 7, 1925, to Geraldine Siebels, a pretty blond Government worker from Stillwater, Minn. Gerry is in Albuquerque, N. Mex., where they built a home a few years ago—a place Ernie loved. In Washington they lived in a tiny apartment on N Street SW.

Ernie attended Indiana University for 3½ years, quit without graduating.

WANTED TO TRAVEL

After 3 years on the News, he was overcome by a yen for travel in 1926. He and Gerry drew out their savings, bought a model T roadster, drove around the rim of the United States, taking their time, as though they had a million. They wound up in New York. For a time Ernie and Gerry lived in Greenwich Village, while Ernie worked on the World and Post for a year or two. Then he came back to the News as telegraph editor. From there he went to covering aviation. In 1932 he was made managing editor.

HE MADE GOOD

Early in 1935 the Pyles vacationed in Arizona. When they came back the late Heywood Broun was on vacation. Ernie wrote a dozen columns about his vacation experiences to fill the Broun spot. Being Ernie, they made good reading. So good, G. B. Parker, editor-in-chief of Scripps-Howard newspapers, took Ernie off the managing editor's desk to try him out at a roving-reporter job for Scripps-Howard papers.

WORE OUT ONE CAR

Being Ernie, he wrote about simple things. Being Ernie, he made good, as we knew he would.

He combed the United States, Canada, Mexico, Alaska, the Hawaiian Islands, Central and South America, traveling by train, plane, boat, on horseback, muleback, truck, but most of the time in his own convertible coupe. He wore out one car.

Eventually he worked so much of his personality into his columns that readers began to regard him as an old friend. His column was syndicated in more than 300 papers.

COVERED THE BLITZ

In 1940 he went to England and the blitz, cabled home such a picture of the most hateful, most beautiful scene he ever had witnessed, that parts of the dispatch were cabled back to London and reprinted in London.

Ultimately his columns were printed in his first book—Ernie Pyle in England.

He came back for a rest and was at Edmonton, Canada, preparing to shove off for Alaska when word came that Gerry was dangerously ill. He flew to Albuquerque and stayed with her for months until she mended.

Ready to go to Australia, his Clipper booking was canceled to make room for propellers needed by the Chinese. The plane arrived over Hawaii during Jap bombing of Pearl Harbor.

He toured this country for a while, in 1942 went back to the British Isles; spent months with our troops, went to Africa on an invasion convoy.

BEING ERNIE

On his first brief furlough from the European war he was lionized and recognized wherever he went. Being Ernie, he shut himself in a hotel room and worked on whipping columns into shape for his first famous book, *Here Is Your War*.

He went back to the war—was in the Normandy invasion. He stayed as long as he could stand it, then came home, saying he couldn't take it any longer. He was sick of the sight of death.

More lionized than before, he still was the same old Ernie. He took a long rest, spending most of the time in his beloved Albuquerque home, but went out again to the southwest Pacific.

His honors multiplied. He won the Pulitzer prize for distinguished correspondence in 1943, was voted the outstanding Hoosier of the year by Sons of Indiana, was made an honorary doctor of letters by New Mexico University and doctor of humane letters by Indiana University. He also was awarded Sigma Delta Chi's Raymond Clapper memorial award for war correspondence in 1944, and in both 1943 and 1944 received a *Headliners' Club* award.

JUST A SKINNY GUY

Some of us old timers recalled the morning he walked into the editorial room, then at 1322 New York Avenue NW. He had come with several others, * * * and was the least impressive of the bunch.

Skinny, his red hair beginning to recede, he cut no fancy figure in his baggy clothes.

But his shy, friendly smile, his wholesome attitude, his all-round newspaper know-how, won him friends, immediately. He laughed at himself, even in those days.

The last time we saw him he was the same Ernie Pyle. His shy friendliness was unaffected by the idolatry of millions. The red hair was graying, naturally.

But he was still Ernie. Being Ernie he would be.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Medical Director Clyde B. Camerer to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as district medical officer, Fourteenth Naval District;

Capt. William W. Warlick, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff (logistics) of the Commander in Chief, United States Pacific Fleet and Pacific Ocean areas, and until reporting for other permanent duty;

Capt. Ruthven E. Libby, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as senior naval member of the Joint War Plans Committee, and until reporting for other permanent duty;

Several naval aviators of the Marine Corps Reserve to be second lieutenants in the regular Marine Corps; and

Several citizens to be second lieutenants in the Marine Corps.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

RECESS TO MONDAY

Mr. BARKLEY. Mr. President, in view of the lofty sentiments which have been expressed in the Senate today it seems to me that the routine of legislation for the remainder of the day would be in the nature of an anticlimax. Therefore, in honor of not only of the members of the delegation from this body, but our entire delegation to the San Francisco Conference, and in recognition of the lofty and noble sentiments which have been expressed here today, I feel that it would be appropriate for the Senate of

the United States to take a recess until Monday.

I therefore move that the Senate take a recess until next Monday at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 21 minutes p. m.) the Senate took a recess until Monday, April 23, 1945, at 12 o'clock meridian.

SENATE

MONDAY, APRIL 23, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of the nations, Thou art from everlasting, and we, Thy creatures, have but a little span in this mortal sphere. Yet Thou hast set our lives upon an earth changed and different from what our fathers knew; vast, stretching seas and plains and towering mountains are but stepping stones to a neighbor's door, though it be half a world away.

In a world of blazing cities and slaughtered victims and starving multitudes, we see clearly now that we must love our neighbor as ourselves, as Thy law decrees, or the very stars in their courses fight against us and the works of our hands are turned to ruins. Falling upon our eager ears there are sounds upon the earth and signs in the heavens that quicken all hearts with expectation. In these fateful days as the nations plan for peaceful tomorrows we listen with radiant hope for the sound of Thy chariot wheels; we lift our mournful heads to see if it is Thy dawn that streaks the sky.

"Break, day of God, O break;

The earth with strife is worn;

The hills with thunder shake;

Hearts of the people mourn.

Break, day of God, sweet day of peace,
And bid the shouts of warriors cease."

In the name of the Prince of Peace we ask it. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, April 20, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 105) to extend the life of the Smaller War Plants Corporation,

and it was signed by the President pro tempore.

THE SEED AND THE SOIL OF PEACE

Mr. WILEY. Mr. President, last Friday we bade Godspeed to our two emissaries to the San Francisco Conference, the distinguished Senators from Michigan [Mr. VANDENBERG] and Texas [Mr. CONNALLY].

As I listened to their inspired words of farewell and to the final messages to them by the able Senators from Maine [Mr. WHITE] and Kentucky [Mr. BARKLEY] I could not help but search my mind for the most significant description of their mission.

At last it came to me: Our two colleagues and their fellow delegates were setting forth to prepare the seed of peace. That seed will be a compact or a charter for peace.

Whatever goes into that seed, the formula or the plan for the mechanism of the world organization will not be new. The elements of the seed of peace have been known since time immemorial. They have been compounded and recomposed, worked and reworked at countless international conferences following other wars. They have been sown, but they have never grown into full fruition.

In the words of the Master:

Some seeds fell by the wayside, and the fowls came and devoured them up. Some fell upon stony places, where they had not much earth, and forthwith they sprung up, because they had no deepness of earth. And when the sun was up, they were scorched; and because they had no root, they withered away. And some fell among thorns, and the thorns sprung up and choked them.

But never in the history of man for any long period have the following words of the Great Teacher been fulfilled:

But others fell into good ground, and brought forth fruit, some a hundredfold, some sixtyfold, some thirtyfold.

Now, Mr. President, another seedtime has come. Now some 1,100 delegates of 46 United Nations are gathering at San Francisco to prepare the seed of peace once again.

The hopes of humanity are high. But our joy is restrained, for we remember the lessons of the past. Again and again we have sown the seeds of peace, but we have not reaped lasting peace. Again and again we have established an organization, a mechanism, a procedure, a covenant for maintaining the peace, but war has come.

Why? Because, however perfect may have been our seed, the soil into which it was planted was not fertile, and therefore the seed did not flourish. The soil was barren, or it was rocky, or it was worn out, or the seed was not planted deep enough, or it was not nourished, or weeds were allowed to encroach upon it.

Now just what is the soil to which I refer? It is the spiritual and moral level of the peoples of the earth. What are the weeds? They are hate, distrust, suspicion, fear, and envy between nations. What seed can grow in such soil? None.

I know farming. I know that good seed cannot flourish except in good soil. It is my prayer that the San Francisco Conference will prepare good seed. But it is my further prayer that when the

seed is sown among the United Nations, the soil will be receptive to it. That soil will be the hearts of the great mass of people of the democratic nations and the hearts of the masters of those lands among the United Nations which are not democratic.

Will that soil be fertile? Will it be enriched and furrowed with the spirit of understanding, with the spirit of friendship, with the true spirit of collaboration? Are the nations in fact now ready for peace?

I know that America's soil is fertile. In our soil has grown the proudest tree of liberty. From our soil have sprung abundant fruits of happiness and joy for the great mass of our people. In our soil, racial and religious intolerance have found no shelter. Here class warfare has never risen above the ground. Upon our soil the warm sun of providence has shone almost continuously and has been hidden only intermittently by the clouds of wars which we did not seek. I know that America's soil is fertile. According to the last Gallup poll more than 83 percent of our people favor world cooperation. This percentage is almost uniform throughout all sections of our Nation. It is approximately the same percentage as that by which our people prior to Pearl Harbor voted not to intervene in this war.

America's soil is receptive. But now I ask in all humility, without criticism, without scorn, is the soil of the other United Nations as fertile as is ours? Have our allies prepared their hearts to receive the seed of peace? The answer to that question cannot be given merely in words. It must be given in actions following the San Francisco Conference.

When our representatives return with the seed, we shall want to hear the answer to this question: We shall want to know what their reactions were as to whether or not the "national soil" of the other members of the United Nations is now rich and fertile and receptive and sustaining.

We repeat, recent history; yes, history throughout all the ages, clearly demonstrates that there will be no lasting peace unless the nations of earth have the high will and the purpose and the desire to carry through on their obligations for peace. That is the productive soil which we are seeking, in which the seed of peace can thrive.

It is the combination of the seed and the soil under the sunshine and the rain of international give-and-take which will make for a lasting peace.

As the Prophet Ezekiel said:

Moreover, I will make a covenant of peace with them (if they are ready and receptive); it shall be an everlasting covenant with them (if they keep the faith).

Mr. President, what can we do to see that the soil of the other nations is made receptive for the seed? We know that we cannot vicariously be saved from this curse of war. Leadership is all-important, leadership which will sell a bill of goods to the peoples of earth. It requires straight thinking, straight acting, getting rid of mere emotional approaches, doing away with prejudices. There must be a spiritual renaissance, an awakening

to the fact that war is not the way out, that it solves no problems. This calls for an elevation of our thinking, a more uplifted attitude toward all mankind.

LEAVE OF ABSENCE

Mr. DONNELL. Mr. President, at about the time of the taking of the recess Friday last my colleague the junior Senator from Missouri [Mr. BRIGGS] was on his way to the Senate for the purpose of asking to be excused from attendance for a few days. It happens that the junior Senator from Missouri has certain engagements in the State of Missouri which require his presence. He has taken the liberty of proceeding to Missouri, and asked me to present this statement to the Senate this morning, and therefore I respectfully request that he be excused.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the junior Senator from Missouri is excused.

CONDOLENCE ON DEATH OF FRANKLIN D. ROOSEVELT

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution—a very beautiful resolution—adopted by the Shelby County court, sitting at Memphis, Tenn., concerning our late beloved President Roosevelt. It is a fine tribute. The resolution also refers to our present President, Mr. Truman. Without objection, the Chair will order the resolution printed in the body of the RECORD.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

SHELBY COUNTY QUARTERLY COURT—APRIL TERM, 1945

MEMPHIS, TENN., April 16, 1945.

Court met, pursuant to adjournment, Hon. J. F. Dudley, chairman, present and presiding, when the following proceedings, among others, were had, to wit: President Franklin Delano Roosevelt.

The following resolution was read to the court by Hon. Lee Winchester, county attorney:

"Divine providence has seen fit to call the immortal soul of our matchless leader, President Franklin Delano Roosevelt, from his earthly labors to enter into an even greater and more useful sphere of influence in heavenly abode.

"When the news of the death of this great man was flashed to the world, there was not a voice that was not hushed nor a heart that did not quail at Heaven's manifestation in our world affairs. We could not at first believe that our great leader was mortally stricken. We could not comprehend why an omniscient being would permit the earthly life of such a vitally useful and good man to end and at the same time permit such contemptible wretches as Adolf Hitler and the rest of the Nazis and Japanese war lords to clutter up the earth.

"The last words of our great Democratic President, Thomas Jefferson, were said to be, 'Now, Lord, let thy servant depart in peace,' and may we not with reverence say that Franklin Delano Roosevelt also departed in peace and that the Master of men greeted his spirit with expression. 'This is my beloved servant, with whom I am well pleased and he is now called to his reward.'

"On March 21, 1945, only a few days before the President's official work in the city of Washington terminated, our own great leader, the Honorable E. H. Crump, at the President's request, conferred with him about

matters of state and the members of this court and other friends of Mr. Crump's have repeatedly heard him give utterance to the same thought, relative to the marvelous personality of the President, as was so forcibly expressed by our own Senator McKELLAR, who said upon being advised of the President's death, 'President Roosevelt had the most remarkable and gracious personality of any man I have ever seen. He was firm, but in our long association, I never saw him permit himself to show anger.'

"During the most troublesome years of our Nation's history, this peerless leader presided over the destinies of this Nation and it is our fervent wish and thought that his spirit may still continue to hover over his contemporaries in the affairs of Government, not only in this country, but in all Allied Nations; inspire their consuls and continue to guide them in virtuous, wise, and noble paths as he has always done in the past. And may that God, in whose hands are the issues of life and death, in His infinite wisdom, confirm and strengthen us all to follow along the pathway blazed by our great President.

"The Nation is thankful that in this, its dark hour, it may turn with confidence to that great Democrat in whose hands the torch of liberty is now placed, and it is our sincere belief that President Harry S. Truman will wisely, successfully, and courageously lead the Nation through the troublesome days that lie ahead: Therefore we, the members of the Quarterly County Court of Shelby County do hereby

"Resolve, That we join with every sovereign body of this great land and stand with bowed heads and with deep sorrow lament the passing of that great American whose earthly career has just terminated; and be it further

"Resolved, That the course he set out for this great Nation, and which he so fearlessly and unswervingly followed, be adhered to; and that the people of the United States continue to uphold the hands of our new President, Harry S. Truman, so that under his leadership, this great Nation will continue to be the bright exemplar for all people who love liberty, freedom, and democracy around the globe."

Upon motion by Justice Paul Barret, duly seconded by Justice Hughes, the said resolution was adopted by the following vote: Barret, Hughes, Barrett, and Law. Ayes 4; noes 0.

SHELBY COUNTY COURT,

By J. F. DUDNEY, *Chairman*.

STATE OF TENNESSEE,

Shelby County, ss.:

I, MARVIL POPE, clerk of the county and probate courts of this county, hereby certify that the foregoing 3 pages contain a full, true, and exact copy of the resolution adopted by the Quarterly County Court of Shelby County, Tenn., on the death of President Franklin Delano Roosevelt; as the same appears of record in minute book 32, page 110 of this office.

In testimony whereof, I have hereunto set my hand, and affixed the seal of said court, at office, in the city of Memphis, this 18th day of April 1945.

MARVIN POPE,
Clerk.

L.T. COL. JOSEPH CHABOT

Mr. TOBEY. Mr. President, in 1934, as a Member of the House of Representatives, it was my privilege to appoint as a cadet to the Military Academy at West Point Joseph Chabot, a young man, 1 of 11 children, from the town of Whitefield, N. H. He completed his course of 4 years at West Point with credit, and then went to Texas in the military service.

In 1939 he was sent to the Philippines, and there, under General Wainright and General MacArthur and General Jones, he carried on until he was captured by the Japanese. After being captured, he participated in the infamous March of Death, with all the suffering and travail connected with that experience, but God spared his life. Later, he was confined as a prisoner, and was finally incarcerated in the Bilbid prison. He came down with pneumonia the day before our troops recaptured Manila, and was transferred to Bilbid Hospital, thus being saved from being shipped to a prison in Japan, to which our enemies had consigned him.

He has been made a lieutenant colonel by the War Department, and is now back with his attractive wife and two children, and will shortly leave for his home town of Whitefield in the State of New Hampshire, for recuperation, then later to return to service.

Mr. President, I cite this case, not as an exception, but as one showing how a young officer of the Army has made the great traditions of the Army even more imperishable than before.

Mr. President, it is with pleasure that I recall that I appointed Colonel Chabot to West Point, and it is gratifying that he and his wife are in the gallery this morning to observe the Senate in action.

DISPOSITION OF EXECUTIVE PAPERS

The PRESIDENT pro tempore laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of New Jersey, to the Committee on Foreign Relations:

"Joint resolution commending the Congress of the United States for its affirmation of the principles of the freedom of speech and press and advocating the adoption of the same principles upon a world-wide basis, and urging upon the delegates of this country to the peace conference the adoption of an international compact

"Whereas the New Jersey Legislature is advised that the Congress of the United States has adopted Senate Resolution 53, which reads as follows:

"That the Congress of the United States expresses its belief in the world-wide right of interchange of news by news gathering and distributing agencies, individual or associate, by any means, without discrimination as to source, distribution, rates or charges; and that this right should be perfected by international compact; and

"Whereas the New Jersey Legislature fully subscribes to the principles enunciated by said resolution: Therefore be it

"Resolved by the Senate and General Assembly of the State of New Jersey:

"1. The New Jersey Legislature hereby extends its commendation to the Congress of the United States for its affirmation of the principles of speech and press and advocates the adoption of the same principles upon a world-wide basis in freedom and equality of access to the truth and the facts, and urges upon the delegates of this country to the peace conference the adoption of an international compact to guarantee the maintenance of such principles.

"2. The secretary of state is directed to transmit, immediately following the passage of this joint resolution, a copy thereof, properly authenticated, to the Secretary of State of the United States, to the Secretary of the Senate of the United States and to the Clerk of the House of Representatives.

"3. This joint resolution shall take effect immediately."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Finance:

"Senate Concurrent Resolution 11

"Concurrent resolution requesting the Congress of the United States of America to exempt all patient employees and paroled-patient employees at Kalaupapa Settlement from any Federal income tax

"Be it resolved by the Senate of the twenty-third session of the Legislature of the Territory of Hawaii (the House of Representatives concurring), That the Congress of the United States of America be, and it is hereby requested, to exempt patient employees and paroled-patient employees of every hospital, settlement, and station maintained for the treatment and care of persons affected with leprosy from the Federal income-tax law; and be it further

"Resolved, That copies of this concurrent resolution be sent to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States of America, to the Secretary of the Interior, and to the Delegate to Congress from the Territory of Hawaii."

SHIPMENT OF LIQUORS TO MEMBERS OF ARMED SERVICES ON THE FIGHTING FRONT—PETITIONS

Mr. WHITE. Mr. President, I ask unanimous consent to present for appropriate reference two petitions of sundry citizens of Springvale, Maine, praying for the enactment of legislation to prohibit the shipment of intoxicating liquors to members of the armed services on the fighting fronts.

The PRESIDENT pro tempore. Without objection, the petitions will be received and referred to the Committee on Military Affairs.

PETITIONS FROM CITIZENS OF WISCONSIN

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to present two petitions on different subjects signed by sundry citizens of Wisconsin, and that the body of each of the petitions be printed in the RECORD, without the signatures attached, and that they be appropriately referred.

The PRESIDENT pro tempore. Without objection, the petitions presented by the Senator from Wisconsin will be received, appropriately referred, and the body thereof will be printed in the RECORD without the signatures attached.

To the Committee on Banking and Currency:

MILWAUKEE, WIS.

To Senator ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

HONORABLE SIR: The undersigned citizens appeal to you to take appropriate action to help bring about a modification of our present drastic and unreasonable rationing of food with particular reference to meat and butter.

We read that there is no food rationing in Canada or Mexico; and that in Russia there is not only no food rationing, but that there even the price of food has gone down during the past year. Just what are they doing on lend-lease?

Our national farm subsidy was intended to increase food production, but that is bungled somewhere down the line for food production is decreasing. In addition, the O. P. A. is so incompetent in the matter of investigating black market operations and discovering red point frauds, that the entire rationing program is way out of balance. Also to exact no red points from those who can get their meat by eating at restaurants is a direct slap in the face for the average American family which just must feed itself at home by whatever red points it can scrape up.

We are told all nations are in this thing together, but are they equally so? Will our lend-lease and needless reserves of food turn out to be another national scandal?

We are told that we still have plenty to eat, but may we answer that we are fed up with what we get—it is coming out of our ears—and if it is good enough for us, may we not ask that why not send some of it to those we send lend-lease food to and keep the meat and butter for ourselves?

We also resent the fact that every time these things are pointed out, certain elements in America are always ready to start shouting pro-Hitler at the protestors instead of helping to correct this rotten mess. We are all loyal Americans and we would be fools indeed not to protest any rank injustice.

In view of the foregoing we ask that Congress take immediate action to remedy this disgraceful state of affairs or face the evil consequences that such conditions must eventually bring about.

To the Committee on Military Affairs:

To Senator ROBERT M. LA FOLLETTE and Senator ALEXANDER WILEY, Washington, D. C.:

We the mothers and wives of American soldiers fighting in Europe want our sons sent home after the end of the European war instead of sending them to the Pacific zone. We feel that our boys have done a wonderful job, and need rest and recuperation. There are thousands of boys here in camps all through the United States, some of whom have been there for 2 and 3 years. These would be fresh and vigorous to release the poor boys that have gone through so much. They are also well trained and are receiving the benefit of the experience of those who have done the fighting. Our boys write continually that all they want is to get home after Germany falls and we feel that every effort should be made to promptly bring them home. After winning one war they should be released by those in camps to help win the other.

We are all loyal to America and do our part in the buying of War bonds, giving to relief funds, assisting the Red Cross and working in defense plants. We have all helped to make America and worked to save her, and we do not think it is the part of justice to leave so many fresh troops here in camps and not get our own boys home after the fall of Germany.

We ask that you give this matter your most careful consideration and take such

steps as may be helpful in bringing the speedy return of our sons after the end of the war in Germany.

POLISH DECISION AT THE YALTA CONFERENCE

Mr. McMAHON. Mr. President, about 2 weeks ago I placed in the RECORD a copy of a letter to the New York Times commenting on the Polish settlement at Yalta. I now ask unanimous consent to have printed in the Appendix, resolutions adopted by delegates representing organizations of Americans of Polish descent in Connecticut, at a convention held at New Haven, February 25, 1945. These resolutions take quite a contrary view of the Polish settlement at Yalta from that of the writer of the letter which I had inserted in the RECORD. I think both sides should be presented, and therefore I ask unanimous consent that these resolutions be printed and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

We, the delegates of organizations representing some 300,000 Americans of Polish descent, who reside in Connecticut, in convention assembled at New Haven, Conn., feel conscience bound to express our most profound grief and bitter disappointment in the conclusions reached at the recent Yalta Conference participated in by the President of the United States, the Prime Minister of England, and the Marshal Premier of the Union of Soviet Socialist Republics. These sentiments, we find, are not confined to the 300,000 Americans we represent but are shared by many thousands of other Americans of this State who are outspoken in their belief that the gravest injustice that yet has been recorded in history will take place if the proposed plans, as published, will be put into effect.

If all human emotions have been abandoned; if all the sacrifices, loyalty to a cause, the suffering and insults to a people are to be swept aside to satisfy the demand of one power; if the privation, starvation, deportations, and cruelties inflicted upon an ally are to be forgotten, and if the punishment imposed by the deliberate refusal to admit relief unless selfish political demands of one of the powers are met are to be tolerated; if all the promises of the Atlantic Charter and the "four freedoms" are to be ignored, then let us at least apply the light of truth to the situation.

President Roosevelt in his report to Congress of the doings at Yalta stated that the decisions concerning Poland were not satisfactory. This in itself indicates compromise. A compromise reached at the expense of an Allied country whose record is one of untiring effort, sacrifice, and zeal in its strife for justice in a cause from which it has not wavered. This is a compromise at the expense of a nation which paid; and paid more than its share, and now when very little is left is called upon to suffer further agony by being called upon to pay more.

Poland has made sacrifices, and any nation should be willing to make sacrifices, if such sacrifices insured future peace in the world. But is it not here that the seed is planted for World War No. 3? Is this not appeasement of a great power at the expense of a small country? We have seen what this kind of appeasement does to the peace of the world by events as recent as 6 and 7 years ago. An agreement reached on the theory of appeasement is treacherous. The unilateral declarations of one power with respect to the small nations adopted by the three

powers at Yalta establishes a precedent for similar future conduct by any power.

There is no escaping the fact that the conclusions reached lead into another scheme of balance of power, the underlying cause of World War No. 1 and a powerful factor in World War No. 2. The so-called sphere of influence, merely a convenient substitute in terminology for balance of power, violates all of the precepts of the Atlantic Charter.

No matter how solemn, no matter how strong, no matter how sound the peace agreements may be, what guaranty and what respect can there be for the terms of any peace arrangements when precedent shows that these have been ignored conveniently and all principles abandoned? Promises have been broken, pacts have been discarded, and smaller countries have been subjected to the whims of greater powers which not only are superior in arms but who stoop to the use of deceptive propaganda unjustly to accuse a smaller country and place the blame upon it to conceal their injustices.

Can lasting peace be obtained with this kind of an approach?

Can any peace be reached unless it be based on justice?

We surely would be remiss in our responsibility if we did not take this opportunity to demand from our leaders the taking of immediate steps to prevent future wars which will involve our country, the United States.

We ask that the problem be met now. This is the time to solve it courageously. As citizens of this State and Nation, we disagree with our Government's participation in the partitioning of any country, large or small, with its enforced expulsion of millions from their native countries and homes.

We commend the honesty and courage of the Polish Government in exile in London for confronting this issue directly in the face of threatened catastrophe. We hope that the pitfalls and dangers to be found at diplomatic tables will be avoided. We stand firm in insisting that the war which will be won on the battlefields by our courageous soldiers be not lost at the peace conference.

We have further resolved to send these resolutions to Franklin Delano Roosevelt, President of the United States, Senators and all Members of the House of Representatives in Congress from Connecticut, and to the Honorable Harold S. Stassen, Senators Arthur H. Vandenberg and Tom Connally, Representatives Sol Bloom, Charles A. Eaton, Virginia C. Gildersleeve, and Edward R. Stettinius, Secretary of State.

For the delegates:

Dr. B. L. SMYKOWSKI,

President.

Rev. JOHN J. SOBOLEWSKI,

Secretary.

MISSOURI VALLEY AUTHORITY

Mr. CAPPER. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference two resolutions adopted at a meeting of the Missouri River States Committee, at Omaha, Nebr., April 5, 1945.

While I have the floor, I call attention to the fact that this committee consists of the Governors of 10 Missouri Valley States and two appointed committeemen from each State.

I desire also to call attention to paragraph 6 of the resolution concerning the development of the Missouri River Basin and concerning authority measures now before the Congress. Paragraph 6 reads as follows:

We do not approve the authority measures which have heretofore been introduced in Congress, as we object to granting any agency unchecked authority to engage in

private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and State laws, and in general do the economic planning for the entire area.

I believe the Governors correctly interpret the general sentiment of the people of the Missouri Valley Basin.

I also call attention to the very legitimate complaint of the Governors that by sending the M. V. A. bill S. 555 to three committees for consideration the Senate has placed an unjustifiable burden on the Governors and others who want to present their views to Congress on this important legislation.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

RESOLUTION CONCERNING HEARINGS BEFORE SENATE COMMITTEES ON THE MISSOURI VALLEY AUTHORITY BILL S. 555

The Missouri River States Committee, representing the 10 States of this valley watershed, with a membership of 10 Governors and 2 appointed committeemen from each State, in session at the city of Omaha on April 5, 1945, takes note of the fact that the Missouri Valley Authority bill, S. 555, has been referred, first to the Senate Commerce Committee, second to the Senate Reclamation and Irrigation Committee, and third to the Senate Agriculture Committee, each for a 30-day period. It points out the inconvenience and cost to the States of the Missouri River Basin where the Governors and other officials of these States required to make three separate trips to appear before each committee. It is hereby respectfully urged that these committees at some definite time arrange for a joint hearing before which such Governors and officials may appear.

RESOLUTION CONCERNING THE DEVELOPMENT OF THE MISSOURI RIVER BASIN AND CONCERNING "AUTHORITY" MEASURES NOW BEFORE THE CONGRESS

The Missouri River States Committee, representing the 10 States of this valley watershed, with a membership of 10 Governors, and 2 appointed committeemen from each State, in session at the city of Omaha on April 5, 1945, wishes to review accomplishments, legislative and otherwise, since its last meeting on August 5 and 6, 1944—also, to present findings with recommendations looking to early and complete development of the land and water resources of the entire river basin.

First and foremost, the committee wishes to express generous appreciation and thanks to the President, the Congress, and to the administrative agencies for what has been accomplished relative to the development of the Missouri River Basin since its August 1944 session.

The recommendations of the former session were that there must be a unified plan of development. The President and the Congress were urged to direct the Army engineers and the Bureau of Reclamation to bring before the Congress a plan of coordinated engineering. It was further urged that any unified plan which might be adopted should not adversely affect the use of water for the irrigation of land in the upstream States.

There is now abundant cause for satisfaction because each of these recommendations has been made effective. The Federal agencies concerned have coordinated their engineering, as authorized by law, and the Congress, through the amended Flood Control Act, the amended rivers and harbors bill, and otherwise by congressional enactment, has established policies and law so that existing agencies may carry on a complete development of the land and water resources of

the Missouri River Basin, including irrigation, flood control, navigation, hydroelectric power, soil conservation, and other beneficial uses. Initial congressional authorizations have been made to so provide.

Therefore, the Missouri River States Committee, sincerely appreciating this enabling legislation and administrative action, wishes now to further comment and recommend to the President and to the Congress:

1. The early appropriation of funds sufficient to complete plans and specifications—following the \$400,000,000 authorized by the Seventy-eighth Congress, and the President's request for additional funds for this purpose—because that will enable development of this great area, as well as to provide for post-war construction and employment.

2. The speeding up of these pre-building plans in order to afford time and opportunity to observe and make effective the new statutory provision that there shall be consultation with the States in cases of misunderstandings or differences of opinion.

3. A further study by Congress as to the necessity of additional provisions governing what each agency shall continue to do, as the Nation and the States enter upon a solution of the problems pertaining to the development of the Missouri River Basin and other interstate watersheds.

4. That the time has come to consider the establishment of Federal statutory water policies, and then by using existing agencies develop not only the 2,500-mile Missouri River Basin, but also other watersheds of the Nation.

5. We strongly urge that any consideration of the administration of the facilities resulting from the proposed development of the Missouri River Basin recognize the rights of and grant adequate representation to the people and the States affected.

6. We do not approve the "authority" measures which have heretofore been introduced in Congress, as we object to granting any agency unchecked authority to engage in private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and State laws, and in general do the economic planning for the entire area.

MINNESOTA LEGISLATURE RESOLUTIONS

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD several resolutions adopted by the Legislature of the State of Minnesota dealing with certain subjects of public interest to that State, memorializing Congress for legislation thereon.

The PRESIDENT pro tempore. Without objection, the resolutions will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Post Offices and Post Roads:

Concurrent resolution memorializing the Congress of the United States to enact legislation providing for wage readjustment for postal employees

Whereas employees of the United States Postal Service are today required to perform greater duties than heretofore; and

Whereas employees of such service have not received a permanent wage readjustment in more than a decade, and

Whereas the tremendous amount of work being done by the employees of the Postal Service is being performed in an efficient manner and is deserving of wage readjustment: Now, therefore, be it

Resolved, That the House of Representatives of the State of Minnesota, the senate concurring, endorses wage readjustment for postal employees in order that such employees may receive increased compensation commensurate with their work and respon-

sibilities, and to that end urges the Members in Congress from the State of Minnesota to vote for and support H. R. 2071; be it further

Resolved, That a copy of this resolution be transmitted to the presiding officers of the Senate and House of Representatives of the United States and to each Member of Congress from the State of Minnesota.

To the Committee on Interstate Commerce:

Concurrent resolution memorializing the President and Congress of the United States and the Federal agencies concerned to amend S. F. A. W. Regulation 26, effective April 1, 1945, to eliminate certain restrictions contained therein with a view of preventing undue hardship to the consuming public and dealers in solid fuel in the State of Minnesota

Whereas on the 14th day of March 1945, Solid Fuels Administrator for War, Harold L. Ickes, issued a directive effective April 1, 1945, providing among other things that consumers be allotted only 80 percent of their normal annual yearly requirements of scarcer solid fuel from April 1, 1945, to March 31, 1946; that the retail dealer cannot deliver to a consumer more than 50 percent of his annual yearly normal requirements of solid fuel before August 31, 1945; that solid-fuel dealers shall be required by the regulation to verify consumers' normal annual requirements of solid fuel; and that retail solid-fuel dealers are frozen to old contracts which they previously served and are not permitted to accept any new business with schools, municipal buildings, and Government agencies; and

Whereas 80 percent of the consumers' normal annual requirements is not sufficient solid fuel to properly insure sufficient heat and to assure healthful conditions during the long winter months encountered in Minnesota, particularly in view of the fact that firewood is not available in sufficient quantities which can be used for heating purposes due to the fact that pulpwood is selling at such a high price; that labor is not sufficiently interested under the present conditions in cutting firewood; and

Whereas because of the severity of the weather conditions in the State of Minnesota causing bad road conditions due to snow, storms, and blockades, which prohibit wintertime deliveries and because of the necessity of providing fuel to the farms, rural schools, industry, and homes, a sufficient stock must be on hand at the docks to provide enough fuel to supply this area and therefore the restriction that the retail dealer cannot deliver to a consumer more than 50 percent of his annual yearly normal requirements of solid fuel before August 31, 1945, is not only impractical but is bound to cause severe hardship; and

Whereas the provision to verify consumers' normal annual requirements of solid fuel by the dealer will entail such tremendous amount of detail and office work that it will be practically impossible under the present wartime conditions to secure sufficient help to properly check and provide this information and will add to the already high cost and burden of handling distribution of solid fuel in Minnesota; and

Whereas the provision contained in S. F. A. W. Regulation 26 prohibits dealers from contracting to supply new patrons during the heating season from April 1, 1945 to March 31, 1946, is unconstitutional and by the provisions of the regulation creates an abnormal distribution of solid fuels in the State of Minnesota and places certain consumers in a position where they may not be able to obtain solid fuel without great inconvenience and unnecessary delay; and

Whereas the provisions contained in the regulation have been given serious study and consideration it appears obvious to those who are acquainted with the weather condi-

tions in Minnesota, the manpower shortage, the lack of equipment, and other burdensome wartime delivery restrictions will make the regulation impossible of performance without creating great hardship and suffering on the part of the people. Compliance with S. P. A. W. Regulation 26 will create a shortage which will result in severe hardships on the consuming public and retail coal dealers creating a back-log of solid-fuel orders during the winter months; and

Whereas Minnesota receives nearly all of its coal requirements via the Great Lakes; whereas it is necessary to obtain an adequate supply at the docks before navigation closes; whereas any deficiency in movement via the Great Lakes cannot be supplemented except via all-rail movement; whereas facilities for all-rail movement are already overburdened and cannot be relied upon to bring coal into Minnesota: Now, therefore, be it

Resolved, That copy of this resolution be transmitted to the President of the United States, to the presiding officers of the Senate and House of Representatives of the Congress of the United States, to Harold L. Ickes, Solid Fuels Administrator for War, and to each member of the Minnesota delegation in Congress, with the request that S. F. A. W. Regulation 26 be amended to permit sufficient coal to move via the Great Lakes docks during the navigation season and to eliminate the provision pertaining to 80 percent of the solid-fuel allocated to the coal-consuming public and by striking out dealers' verification of consumers' requirements and to eliminate the restriction providing that only 50 percent of the consumers' normal annual requirements can be delivered before August 31, 1945, with a view of eliminating the plight of the solid-fuel industry and the consequent impairment of the solid-fuel supply for Minnesota.

To the Committee on Commerce:

Joint resolution memorializing Congress to authorize a survey of the upper Mississippi River navigation reservoirs

Whereas the Winnibigishish, Leech Lake, Pokegama, Sandy Lake, Pine River, and Gull Lake Reservoirs, known as the upper Mississippi River navigation reservoirs, designed to increase the navigable stages of the Mississippi River below the Twin Cities for the promotion of commercial navigation, were authorized by Congress some 50 to 60 years before the development of the areas adjacent to and surrounding the reservoirs, had begun; and

Whereas progress in the development of the agricultural, scenic, and recreational resources of the reservoir areas during subsequent years has emphasized that the lakes and bodies of water used for and affected by the reservoirs and their operations, in common with other lakes and scenic attractions, are proving a dominant source of revenue and livelihood to local communities, the value of which was not, and could not have been, given full weight at the time the reservoirs were authorized; and

Whereas the construction of the locks and dams in the Mississippi River below Minneapolis apparently has lessened the need of the reservoirs for maintaining navigable stages in the Mississippi River below the Twin Cities; and

Whereas those interested in the fullest development and use of the resources of the reservoir areas feel that this cannot be accomplished until a study and appraisal has been made of the present and potential future uses and operations of these reservoirs for the fullest development of the scenic, wildlife, and recreational assets and control of floods in the communities adjacent to and affected by them, as well as for the improvement of navigation, increased water supply for water power, domestic, and industrial needs, and pollution statement for down-river interests: Now, therefore, be it

Resolved by the Minnesota Legislature in regular session assembled, That we request the Congress of the United States to authorize and direct the War Department to make a survey of the upper Mississippi River navigation reservoir system for the purpose of determining and adopting the best plan of operating these reservoirs for the greatest benefit to all of the interests affected, said survey to embrace such changes, if any, in existing structures which might be found desirable, what additional structures might be needed to facilitate operations, and what channel improvements should be made to improve conditions in the areas; be it further

Resolved, That the secretary of state be instructed to send copies of this resolution to the Minnesota Representatives and Senators in Congress; the Secretary of War, Washington, D. C.; Col. Malcolm Elliott, division engineer, upper Mississippi Valley division, Syndicate Building, St. Louis, Mo.; Col. L. C. Barnes, district engineer, Post Office Building, St. Paul, Minn.

Concurrent resolution memorializing Congress to enact into law H. R. 5295, relating to the domestic raising of certain fur-bearing animals

Whereas fur farming is an important and valuable industry within Minnesota; and

Whereas the raising of pen-bred fox, mink, persian lamb, karakul, and chinchilla is, in reality, an agricultural pursuit and the products of such fur farms are livestock, notwithstanding the fact that the Minnesota Legislature, for purposes of expedient administration and regulation, defines such animals as wild animals and polices the industry through the personnel of the division of game and fish; and

Whereas it is the belief of this legislature that great benefits can accrue to this valuable pursuit if the Federal agency concerned with the promotion of fur farming be designated as the Department of Agriculture: Now, therefore, be it

Resolved by the Legislature of the State of Minnesota, That Congress be urged to take such steps as are necessary to enact into law H. R. 5295, which provides that the breeding, raising, producing, or marketing of the animals herein referred to shall be deemed an agricultural pursuit under the jurisdiction of the Federal Department of Agriculture: Be it further

Resolved, That copies of this resolution be sent to each member of Congress from the State of Minnesota.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

Mr. BANKHEAD, from the Committee on Agriculture and Forestry:

S. 383. A bill to provide for the further development of cooperative agricultural extension work; without amendment (Rept. No. 198).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 565. A bill to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone; with an amendment (Rept. No. 200).

PROGRESS REPORT ON WAR PLANTS DISPOSAL (REPT. NO. 199)

Mr. O'MAHONEY. Mr. President, on behalf of the Military Affairs Committee I ask unanimous consent to submit a progress report of the work which is being carried on jointly by a subcommittee of the Special Senate Committee on Post-War Economic Policy and Planning and

the subcommittee of the Military Affairs Committee on War Contracts with respect to disposal of war plants. This report is merely an account of the steps which have been taken to date to gather information for the Congress on the problem of war plants disposal, which I may say is a problem of the utmost magnitude.

Mr. President, I ask unanimous consent that the body of the report, that is to say, that part of the report not including the appendixes, may be printed at length in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, the report submitted by the Senator from Wyoming will be received and printed in the RECORD without the appendixes.

The report is as follows:

Negotiations for the disposal of the Government-owned steel plant which was built at Geneva, Utah, at a cost of \$196,000,000 have been begun by the Defense Plant Corporation. Formal notice that Arthur G. McKee & Co., of Cleveland, Ohio, a firm of industrial engineers, has been named by Defense Plant Corporation to make an economic and physical study of the plant was given to the chairman of these subcommittees by Mr. Sam H. Husbands, President of Defense Plant Corporation, in a letter dated April 9, 1945, which appears in appendix I of this report. United States Steel Corporation, Colorado Fuel & Iron Corporation, and Kaiser Co., Inc., have each notified Defense Plant of a desire to negotiate for the acquisition of this plant by lease or purchase. Each of these corporations likewise is preparing economic surveys for the purpose of determining the productive uses to which the plant may be devoted.

The fact that these negotiations have been initiated should not, however, be regarded as in any degree furnishing a basis for the conclusion that war work in the Geneva plant is drawing to an immediate end. That is not the case. Victory day in Europe will not, according to the thinking of the War Department, result in any reduction within a foreseeable period of the demand for steel for the prosecution of the war against Japan.

WAR PRODUCTION STILL AT HIGH LEVEL

Months will be required before the war materials, including iron and steel products, which have been shipped to Europe, can be inventoried, repacked, and transported to the Japanese theater of war. While this is being done, a continuous stream of products will have to be produced in the United States and transported across the Pacific. Moreover, it will be necessary to rehabilitate ports in the Philippine Islands and elsewhere in the Pacific as well as to construct new port facilities in order to continue to equip our forces there and to prevent any let-up in the continuous pressure upon the Japanese. I desire to make this point as clear and emphatic as possible lest any inference be drawn from the negotiations and from the studies of the Military Affairs Committee and the Special Senate Committee on Post-War Economic Policy and Planning that the period of war production at the Geneva plant is coming to an early termination.

The War Department has been taking about 30 percent of the Geneva output for steel shells. This demand will continue indefinitely. The remainder of the output is absorbed by the Maritime Commission and the Navy. The Maritime Commission's western requirements for steel plates have been filled primarily by the Fontana plant. Beginning with a demand of about 5,000 tons per month a year ago, an increasingly larger proportion, however, of Geneva plate has gone to Maritime Commission uses, and although the requirements of the Commission

are being steadily reduced, it will continue to take a portion of Geneva output at least until the fall of the current year.

The Navy Department does not anticipate for the present any reduction of its demand for steel plates, and will continue to take steel plates from Geneva. Assuming that the Japanese war continues throughout the present year, production of steel plate at Geneva for the Navy is not expected to be reduced during the year 1945.

Negotiations for the disposal of the Geneva plant must, however, be undertaken now because of the tremendous magnitude of the task of framing a policy for its utilization. Not only is it necessary to determine how the plant will be operated and managed and by whom, but it is also essential for any operator to know what markets can be developed for the products of the plant, and indeed, what type of product should be made.

The need for market studies is imperative since the over-all productive capacity of the steel industry has increased from about 81.6 million net tons before the war (January 1, 1940) to 95.5 million net tons at the present time (January 1, 1945). On the other hand, in 1939 less than two-thirds (64.5 percent) of the then existing capacity was utilized to meet all requirements—civilian as well as military—while at present practically our entire existing steel capacity is being utilized for war and essential civilian purposes. It is, therefore, necessary to study thoroughly the possible markets for the present capacity, the types of steel products which will be required by our post-war economy (including both domestic consumption and exports), and the adaptation of the existing finishing facilities to such post-war uses.

STEEL POLICY MAY BE PATTERN

What is done at Geneva may well be the pattern for what will be done with the other vast war plants built at Government expense and owned by the people of the United States through their Government. The Defense Plant Corporation is acting with wisdom and foresight in opening the subject now, and it has established a laudable policy of complete disclosure of plans to the committees.

Nevertheless, the initiation of the negotiations raises an important question with respect to the entire policy of surplus-property disposal. The act of October 3, 1944, does not give the Surplus Property Board any authority over surplus property until it has been determined to be surplus by the agency which has control of it. Section 11 of the Surplus Property Act makes it the duty of every owning agency to make a continuous survey of property in its control and to determine what property "is surplus to its needs and responsibilities." This same section empowers the Board to secure from the owning agencies such information as to all kinds of property in their hands (before it is declared surplus) as it believes necessary for the proper planning of the Board's job. The agencies are required to report promptly to the Board and the Board is instructed to report to the Senate and to the House of Representatives if it has any reason to believe that any owning agency has surplus property which has not been reported as such to the Board.

The Geneva plant disposal has not been determined to be surplus. The jurisdiction of the Surplus Property Board, therefore, does not attach. Yet, it is highly important that consideration of disposal problems with respect to this and all similar plants should not be postponed until after the plants have ceased to operate and have actually become surplus property.

It is the purpose of Defense Plant Corporation to be prepared for immediate action when war production ceases so that there will be the least possible interruption of employment. The committees' studies have been initiated with the same purpose in view. There will be much greater likelihood of sub-

stantial salvage to the Government as well as much greater likelihood of economic benefit to the country if the plans for reconversion are ready to be applied when war production ceases.

This aspect of the problem appears in all of the categories of war plants listed in section 19 of the surplus property law by which the Surplus Property Board was directed to prepare and submit to Congress a report on plants and facilities which cost the Government \$5,000,000 or more each in the following categories: Aluminum, magnesium, synthetic rubber, chemicals, aviation gasoline, oil and steel, pipe lines, patents, aircraft, shipyards, transportation, and radio and electrical equipment. With respect to the first eight categories, Congress provided that no disposal should be "made or authorized until 30 days after such report (or additional report) has been made while Congress is in session except that the Board may authorize any disposal agency to lease such property for a term of not more than 5 years."

PUBLIC SCRUTINY ESSENTIAL

It would probably be impossible to describe all of the various situations which may arise in the handling of the properties. The complexity of the problem, its possibilities for good or ill upon our whole national economy are beyond imagination. It is for this reason that the formulation of plans and the carrying on of negotiations should all be in the public view. It was because public scrutiny was desired that Congress, in the surplus property law, provided as it did for reports. The fact that that law does not give the Surplus Property Board authority over any property until it has been determined to be surplus by the owning agency serves only to increase the responsibility of Congress to throw the spotlight of public attention on whatever steps may be taken. The chairman is happy to report that both the Defense Plant Corporation and the Surplus Property Board show every intention to cooperate unreservedly in the work of the two committees.

Notice should be taken of the fact that section 20 of the surplus-property law provides for notice to the Attorney General "whenever any disposal agency shall begin negotiations for the disposition to private interests of a plant or plants or other property, which cost the Government \$1,000,000 or more, or of patents, processes, techniques, or inventions, irrespective of cost."

This provision was inserted in the law for the purpose of determining what, if any, applicability of the antitrust laws there might be with respect to any program of disposal.

PREPARATION OF COMMITTEE HEARINGS

The committee is approaching its study in a completely objective manner, and it has invited the cooperation of those who may be in a position to make constructive suggestions. The program of hearings now being formulated does not contemplate merely the appearance of witnesses one after another to recite opinions, but the development rather, in the first instance, of an agreed statement of facts after which it is hoped that a round-table discussion to be participated in by Government, industry, labor, and consumers may be held for the purpose of securing not only a wide public understanding of the facts, but of developing, if possible, an agreed policy in the public interest.

Accordingly letters¹ were addressed by the chairman to more than 100 steel companies, including forge shops and foundries, soliciting their cooperation in the preparation of the hearings. This letter transmitted a preliminary outline of subjects which the subcommittee felt should be considered in the course of the hearings. This outline follows:

I. What economic factors will affect the utilization of the additional productive capacity for steel created by war plants and facilities?

(1) What level of post-war steel demand do you anticipate? Special attention should be paid to—

(a) The anticipated volume of exports.
(b) The anticipated demand in various regions of the United States.
(c) New or expanded uses for steel products.

(d) Possible inroads made by light metals, plastics, etc. on steel consumption.

(2) What special problems exist in connection with the utilization of plants in areas where previously no steel plants had been located?

(a) Will adequate supplies of raw materials, labor, and power be available, and at what relative costs as compared with old established plants?

(b) What are the relative transportation costs in connection with assembly and distribution as compared with old established plants, and what should be the Government's policy with respect to present railroad and shipping rates?

(c) What effect would new basing points or nonbasing point pricing have?

(3) Should the Federal Government, States, and local governments adopt special tax policies in order to facilitate utilization of new capacity?

(a) Should operators dependent on undeveloped markets be granted special tax privileges?

(b) Should operators of surplus facilities generally be granted special tax privileges?
II. What methods of disposal will assure effective utilization?

(1) In order to assure uninterrupted operations, should plants, whenever possible, be disposed of before their present use is discontinued and they are declared surplus?

(2) Should plants be sold, leased, or exchanged, or how else should they be disposed of?

(3) Should the Government extend credit to purchasers and lessees, and should it finance conversion of, or additions to, plants in order to make them more suitable for peacetime uses?

(4) On what basis should prices and rentals be determined, and should they be fixed or flexible until business possibilities are revealed?

(5) Should special conditions attach to the disposal with respect to the level of operations and employment, steel-price policies, maintenance of plants in the interest of national security, transfer to other operators, or as to any other factors?

(6) Should any companies be preferred with respect to, or excluded from, buying or leasing plants, and what should be the criteria for such preference or exclusion?

The companies were requested to comment on the adequacy of the outline, and to submit to the subcommittee a short statement with respect to the issues.

Similar letters were sent to labor organizations² as well as to all departments and agencies of the Federal Government which have any function with respect to any of the iron and steel plants.³ States and local governments of the areas in which the plants are located were also consulted.³

IMPORTANCE OF FREIGHT RATES

Recognizing the importance of freight rates in connection with the future utilization of Government-owned plants and facilities, letters⁴ were also addressed to the executives of approximately 50 railroads⁵ inviting them to advise the committees of their views as to what relationship exists between railroad rates and the post-war utilization of Government-owned steel plants. It was felt that the decision of the United States Supreme Court in the *Georgia railroad rate case*, allowing the State of Georgia to present to that tribunal a petition to enjoin an alleged rate-fixing combination, might

¹ See appendix IV.

² See appendix III.

³ See appendix II.

make it desirable for the committee to consider the relationship between transportation and the best utilization for the civilian economy of Government-owned plants. It is recognized that these plants, not the steel plants alone, but all of the plants, may have to be closed to the great detriment of the national economy unless markets are found for their products. It was felt that no group of executives would be more interested in studying the possibilities of expanding civilian markets and civilian products than the railroads, and that no industry would be likely to benefit more than the railroads if a wise and successful program of plant disposal is developed.

The chairman is happy to report that the responses to the letters have indicated widespread interest throughout the country. Not all replies have been received as yet, but the cooperation indicated, both by letter and orally, has been excellent.

CLASSIFICATION OF STEEL PLANTS

Several companies prefaced their answers by making the general observation that the Government-owned iron and steel facilities are so varied in character that it would be difficult to lay down general rules as to their disposition. Therefore, they suggest that all Government-owned steel plants and facilities be divided into three or four different classes which will have to be treated differently as far as utilization and disposition are concerned. While there are some differences in the classifications suggested, they may roughly be summarized as follows:

Class 1: Strictly war-purpose facilities installed in private plants or built nearby, which are not readily adaptable to peacetime uses. The following are examples: Equipment for shell forging and machining, for the manufacture of cartridge clips, bombs, special tank parts, guns, etc.

Class 2: Facilities installed in or nearby private plants designed to supplement existing standard facilities. They are generally described as "scrambled" facilities and, unless it is economical to move them to some other location, the present operator will be the only and logical party to acquire or operate these facilities after their present uses have expired.

Class 3: All newly built integrated plants (as for example, Geneva) and those non-integrated plants which are capable of independent operations.

With respect to the plants falling into the third class, replies emphasize strongly that no general rules as to disposition and utilization can be made but that it will be necessary to make a study, plant by plant, to identify and separate those which have possibilities for post-war operation.

SUMMARY OF REPLIES TO INDIVIDUAL QUESTIONS CONTAINED IN THE OUTLINE

As far as the specific questions contained in the outline are concerned, the answers received as of April 15, 1945, may fairly be summarized as follows:

ANTICIPATED LEVEL OF POST-WAR DEMAND

With respect to the first question, as to the anticipated level of post-war steel demand, there seems to be a basically different approach as between some of the companies which have attempted to answer this question, concerning the feasibility of answering this question and the value and the importance of economic forecasts for the development of specific disposal policies of steel plants. Bethlehem Steel Co., for example, doubts whether real progress can be made at this time through an examination of economic factors suggested by part I of the outline. Bethlehem feels that no reliable statistics are obtainable with respect to most of the questions and that any attempt to answer them would be purely guesswork.

Inland Steel Co., on the other hand, feels that sound policies with respect to the dis-

position of surplus facilities should be formulated on the basis of sustained demand for steel as distinguished from short-term accelerated needs immediately after the war. Therefore, Inland, on the basis of past experience and anticipated population increases, attempts to make a forecast as to what this sustained post-war demand is likely to be. Inland arrives at an average demand for ingot steel of approximately 54,000,000 net tons for the 30-year period between 1945 and 1975, and a maximum demand by 1975 of 63,000,000 net tons.

As far as the initial post-war demand is concerned, Inland believes that the estimate of 65,000,000 to 70,000,000 net tons, made by Walter S. Tower, director of the American Iron & Steel Institute, is a reasonable estimate.

The United States Steel Corporation estimates that the post-war demand will be about 65,000,000 to 70,000,000 tons of ingot steel in good years in the post-war period. United States Steel, however, calls attention to the fact that in comparison the country had an ingot capacity on January 1, 1940, of in excess of 81,000,000 tons and on January 1, 1945, in excess of 95,000,000 tons.

Summarizing all the forecasts made by the various companies who have attempted to reply to question I as to post-war demand, it may be said that all of them anticipate a post-war demand substantially in excess of pre-war demand. The demand for steel immediately following the war is anticipated to be considerably higher than the average demand over a long-time period after the war. Some of the companies qualify their estimates by pointing to the impact which general Government policies with respect to taxes, and so forth, will have on steel demand.

Specifically, most of the companies anticipate a greatly increased volume of exports, particularly during the reconstruction period, while steel plants located in devastated countries are incapable of filling the needs abroad.

As far as the regional distribution of steel demand in the United States is concerned, a greatly increased steel demand is anticipated in the far West and in the South. In addition there is anticipated a high demand for steel in regions where the automotive industry and manufacturers of household utilities are located.

The development of new uses for steel, and the expansion of old uses, is anticipated particularly for stainless and alloy steels. Some companies anticipate increased requirements, not so much because of new uses but because of the need for replacement of existing machinery and equipment.

With respect to possible inroads on steel demand by light metals, plastics, and other materials, the answers are extremely optimistic. The reasons given vary. Some point to the high price levels of light metals in comparison with steel. Others believe that light metals, plastics, etc., will be used merely to supplement and complement steel consumption. Others again believe that new uses which may be found for steel will more than offset any inroads made by light metals and plastics.

NEW PLANTS IN NEW AREAS

With respect to the second question as to special problems which exist in connection with the utilization of plants in areas where previously no steel plants had been located, it has been pointed out that the replies received emphasize strongly the need for a plant-by-plant study of these problems. Some of the replies point out that in some instances the location of plant sites were chosen in order that certain other plants engaged in the production of war materials could have their source of raw materials readily available rather than that the steel plants involved should be favorably situated to compete in after-the-war markets. However, only a careful market analysis and an

analysis of the available facilities will produce the necessary answer as to whether and how the plant in question can be utilized.

The United States Steel Corporation points out that a market analysis should be made for each plant for the life of the investment in question, the normal economic life of a steel plant being from 20 to 25 years. This analysis, detailed by products, should, according to the United States Steel, be broken down into three periods: A short period following cessation of hostilities of from 2 to 3 years; a 5-year period following thereafter; and, finally, a 15-year period after the latter period.

The market analysis will have to show what demands will arise for these different periods for durable goods, such as railroad equipment, building construction, public works utilities, and ship building, and for consumer goods, such as automobiles, refrigerators, agricultural equipment, and containers, and for all classes of export trade.

Finally, such market analysis must include a study of whether the estimated post-war markets can be reached competitively by other steel plants.

The analysis of the existing facilities requires a study of the rate of capacity, the availability of raw materials, and the source and cost of assembly, the suitability of existing facilities, the need for additional capital expenditures necessary to reconvert or to add additional facilities, the probable operating costs of the reconverted plant when running at 50, 75, and 100 percent, and present and anticipated freight rates from the plant to markets for each product to reach destination.

The American Steel Foundries suggested that an important consideration on the part of prospective purchasers will be the economics of disposition by such purchasers of their existing privately owned facilities which may in whole or in part become excess capacity on account of the acquisition of the Government-owned facilities.

As to the question of relative transportation costs in connection with assembly and distribution as compared with old established plants, the Pacific Tube Co. points to the difficulties faced by western fabricators in meeting competition of eastern steel manufacturers. The Pacific Tube Co. points out that the eastern steel manufacturers will quote approximately the same prices for steel products whether they be delivered to Seattle, Portland, San Francisco, or Los Angeles, inasmuch as the freight from the eastern plant to destination will be about the same in every case. On the other hand, a west-coast manufacturer, who is not fully integrated, is required to buy his basic products from the East and pay thereon the same amount of freight as would be paid for the finished product if sold on the west coast by the eastern manufacturer. Therefore, the west-coast manufacturer who endeavors to sell to a west-coast destination located a considerable distance from his plant finds that to be competitive he is required to absorb the cost of the freight from his plant to his customer.

In view of this situation, the Pacific Tube Co. pleads for special relief until the west coast can become a fully integrated manufacturing area.

On the other hand, the replies received emphasize that freight rates unprofitable to railroads are not justified to keep plants in operation, and no railroad rates should be made which would discriminate in favor of any such plants.

As far as new basing points or non-basing-point pricing is concerned, the answer supplied by Inland Steel suggests that there is ample justification for the continuation of the base-point method of pricing. Inland Steel points out there are no restrictions on the number or locations of basing points and

that new basing points may be designated by any steel producer with the announcement of the base prices applicable. Inland Steel further points out that the basing point system meets the unusual requirements of steel producers to keep up high-volume, low-cost production of steel, and that any change over to a non-basing-point method of pricing would create serious dislocation within the industry and in the national economy.

This view is strongly supported by the National Supply Co.

TAX PRIVILEGES

The majority of the companies replying to the committees' question is strongly opposed to the granting of any special tax privileges. The American Rolling Mills maintain that the granting of such privileges or any direct subsidy would in the end destroy private competitive enterprise. The American Steel Foundries suggest that, instead of any special tax privileges, the selling price or rental for the facilities should be adjusted downward to meet the existing conditions as to cost, markets, etc. The Isaacson Iron Works, at Seattle, however, suggests that some provision might be made which would allow special amortization, such as wartime certificates of necessity to encourage private purchase of equipment that would enable private industry to employ a maximum number of employees.

Atlantic Steel Castings Co. feels that any venture capital which is provided for the utilization of new capacity should be afforded some measure of protection incident to the development of new markets particularly as present revenue laws preclude the establishment of any reserve funds necessary to permit many companies to sustain themselves through periods of adverse business conditions.

The Pacific Tube Co. asks the question whether operators who have used their own capital in operating Government-owned facilities should not receive treatment preferential to those operators who have worked on the basis of a fixed fee from the Government. It suggests that the former operators have taken great risks in using their own capital and therefore might be accorded advantages not given to operators who risked virtually nothing.

The United States Steel Corporation points out that subsidizing uneconomic operations to increase employment artificially in one locality at the expense of employment in other localities would produce the over-all effect of less efficient production which would cause a net loss rather than a net gain to the Nation. In this view United States Steel is joined by Bethlehem Steel Co. and Inland Steel Co.

METHODS OF DISPOSAL

The Inland Steel Co. points to the principles of the Baruch-Hancock report with respect to disposition of surplus property. First and foremost, that all negotiations for the disposition of such property should be conducted in a "goldfish bowl," and, secondly, that the facilities should not be operated by the Government in competition with private enterprise.

As far as the specific questions asked by the committee are concerned, the replies are practically unanimous that disposition of plants before their present use is discontinued and before they are declared surplus is desirable. Here are some of the reasons given: Early disposition will avoid the high cumulative cost of custodial, watch, legal, and accounting services. Blast furnaces, rolling mills, coke ovens, and other equipment of this character, no matter how new or modern they are, will deteriorate rapidly if shut down.

One of the answers, on the other hand, cautions against any disposition which will affect present operations, and some of them doubt whether the major companies now operating Government-owned plants can de-

cide whether they want to continue operations or not after the war.

The National Supply Co. warns against any fixed policies to dispose of plants before their present use is discontinued, since the haste may lead to some bad deals. The Government should entertain negotiations, the National Supply Co. points out, whenever buyers are in prospect and should not follow any fixed policy as to time of disposal.

SALE OR LEASE

Basic disagreement exists between the companies who replied to the question of whether plants should be sold or leased, or how else they should be disposed of. The Inland Steel Co. takes the extreme view that plants should be disposed of by sale only, in order to get the Government completely out of the business. American Rolling Mill Co. likewise feels that plants should be sold to private enterprise at the best possible price obtainable.

On the other extreme, Copperweld Steel Co. believes that, in order to protect the Government's interests, new facilities should not be sold because the Government would have to dispose of such facilities at a sacrifice. Copperweld Steel Co., in stead of sale, advocates a 20-year lease on a tonnage basis. This would enable the Government, so Copperweld believes, to liquidate its entire capital investment and would not necessarily add any burden to management. On the other hand it would permit management to increase its markets and thereby materially increase the employment of labor.

Other companies replying do not feel that any set rules can and should be established with respect to sale or lease. National Supply Co., for instance, believes that sale would be preferable but that the conditions surrounding each transaction should determine the method of disposition. Atlantic Steel Castings Co. suggests that many companies who wish to acquire surplus capacity are not sufficiently well entrenched to risk an undue portion of their resources in the acquisition of these facilities, and it appears equitable to Atlantic Steel Castings that such companies should be granted leases on favorable terms with options to purchase the properties at a fair valuation.

Bethlehem Steel Co. is pessimistic as to the purchase of Government-owned integrated plants and other facilities which can be operated as independent units. Bethlehem Steel feels that the purchase of these Government-owned facilities at any price would involve an unusual degree of risk on the part of the purchaser and this risk, Bethlehem Steel feels, is bound to influence the views of any prospective purchaser as to the price it is willing to pay.

With respect to the facilities installed primarily for the production of wartime products, Bethlehem Steel Co. suggests that the Government's interests might best be served by preserving the ownership of the Government for future emergencies rather than to sell these facilities for the very nominal price which they might bring, since most of them are not readily adaptable to the production of commercial products. To whatever extent they can be advantageously used, Bethlehem suggests that they be leased, thus leaving the Government in full ownership and control if they should be needed in some future emergency.

As for facilities installed at or near existing plants designed to supplement existing facilities in the production of standard steel products, the owners of the existing plants should be given an opportunity of acquiring such plants. Should it be impossible to agree on a satisfactory purchase price, Bethlehem Steel Co. suggests that a lease with an appropriate rental base might be worked out.

The Continental Foundry & Machine Co. suggests that, in establishing the purchase price for Government-owned buildings and machinery within a given plant, considera-

tion should be given to the fact that the company made rental payments for the use of such buildings and machinery for the war effort.

GOVERNMENT CREDIT TO PURCHASERS AND LESSEES

The same divergence of views which existed with respect to the question of sale or lease exists with respect to the question of Government extension of credit to purchasers or lessees. American Steel Foundries, Inland Steel Co., and Copperweld Steel Co. oppose the extension of credit for the purchase of surplus facilities. The first two companies feel that, if the venture was really sound, private financing should be available for it. American Steel Foundries is apprehensive that Government financing of either the purchase money or the conversion expense might lead to the risk remaining that of the Government and to possible recall of the facilities back to the Government.

Copperweld Steel Co., while opposing credit for the purchase of surplus facilities, believes that an extension of credit for operating purposes would be highly desirable in order to maintain a high standard of employment.

National Supply Co., on the other hand, feels that, while the Government might extend credit to purchasers, it is doubtful whether credit should be extended to lessees. In any case, however, National Supply Co. insists that the credit should be negotiated with the intention that it will be refinanced through private channels in a few years.

BASIS FOR PRICES AND RENTALS—FIXED OR FLEXIBLE PRICES OR RENTALS

As far as the basis of the price or rental is concerned, several companies suggest that it will be impossible at the present time or immediately following the war to establish a sound price or rental bases. The suggestion, therefore, is made not to determine such bases until the industry has had an opportunity to survey its post-war prospects.

Copperweld Steel Co. suggests that rentals should be based on the production and shipment over a 20-year period. Atlantic Steel Castings Co. likewise believes that rentals should be fixed on a relatively low per ton of production basis for a period sufficiently long to permit the lessees to operate pending clarification of market conditions.

American steel foundries, on the other hand, feels that flexible prices might encourage the launching of unsound ventures at Government risk.

Those who believe that it might be possible to establish bases now insist that, in fixing a selling price, the conditions facing the particular plant or facilities should be evaluated and that the price should not be based exclusively on original cost and depreciation. Inland Steel Co., for example, points out that in many instances plants have been constructed at an abnormally high cost or have been placed in locations in which competitive disadvantages exist. Inland believes that the value of the capital equipment is no greater than its earning capacity, and that in fixing a fair value, due recognition must be given to this important factor.

As far as moneys received by the Government for sale or lease of surplus property are concerned, American Rolling Mill Co. has suggested the use of these moneys for the purpose of carrying on intensive research within the armed forces and in cooperation with private enterprise in the interest of national defense.

Inland Steel Co. suggests that the proceeds from surplus sales should be used to reduce the national debt.

SPECIAL DISPOSAL CONDITIONS

All of the companies replying to the question with respect to special conditions are opposed to any conditions with respect to the level of operations and employment and steel price policies. They argue that no industry could long exist if it is required to pay for

services not rendered. Inasmuch as little steel can be produced against future orders, the level of operations must necessarily fall if orders fail to come in.

Some of these companies deem it advisable to attach a condition to the sale of properties requiring persons acquiring such properties to maintain them in good working order for a limited number of years in the interest of national security.

PREFERENCE FOR OR DISQUALIFICATION OF COMPANIES

The question of whether any company should be preferred with respect to, or excluded from, buying or leasing plants has resulted in a variety of suggestions. Some companies, as for example Inland Steel Corporation, suggests that, in the absence of any conflict with the antitrust laws, no company should be excluded as a prospective purchaser.

Several companies have expressed the opinion, as, for example, Atlantic Steel Castings Co. and American Steel Foundries, that those companies now leasing or operating plants should be afforded the first opportunity to acquire or lease the facilities.

Copperweld Steel Co. suggests that facilities should be leased to present operators or that preference should be given to such institutions that could maintain the highest level of employment.

United Engineering & Foundry Co., is opposed to the sale of steel plants to companies not now engaged in the steel business, as for example, automobile or refrigerator manufacturers, or railroad companies. This view is supported by Continental Foundry & Machine Co., which believes that no company which has not been operating in peacetimes in a given basic industry should be permitted to buy or lease any Government-owned plants in any basic industry which has too much productive capacity for normal peacetime years.

American Steel Foundries, on the other hand, believes that the opportunity to purchase steel plants should be open to any industry.

American Radiator Co. takes the middle position and feels that steel plants should first be offered to people engaged in the steel business, and, secondly, to people who might want to engage in the steel business.

SUMMARY OF REPLIES TO RAILROAD LETTER

The majority of the replies received to the letter sent to approximately 50 major railroads, point out that the freight-rate structure of the railroads is "highly complex, that it reflects circumstances and conditions, economic and otherwise, surrounding the movement of each kind of traffic from each origin to each destination individually, and a general relationship to other origins and destinations, as well as a reasonable relationship to competitive commodities" (Atlantic Coast Line Railroad). Therefore, most of the replies suggest that the over-all problem with which the subcommittees are confronted insofar as railroad rates are concerned, is such that the situation can best be dealt with as and when definite, specific information is available as to the purposes to which individual plants and facilities are to be used, together with information in regard to the general areas in which raw materials will originate, and destination territories of the manufactured products.

This latter point is made very strongly by William Jeffers, president, Union Pacific Railroad, and I quote from his telegram:

"If a plant should pass to private operation then the freight rates can be negotiated but not as a condition precedent to sale or disposal of such plant. If the rates in effect are not deemed to be proper and negotiations fail then the subject should properly be referred to Interstate Commerce Commission for adjudication. Otherwise other private

interests engaged in competitive efforts would be at a decided disadvantage, which I am sure would create widespread public resentment."

Otherwise, the railroads generally emphasize that the continued existence of the prosperity of their roads is based upon their ability to establish new industries and to assist the old ones in maintaining a profitable business. The roads point out that if a buyer or lessee of a Government plant proposes to manufacture a product never before shipped from that point, rates will have to be worked out with the industry and with connecting lines to territories to which the industry desires to ship. Emphasis is placed on the fact that its rates must be properly related to those enjoyed by established competitors, both on raw materials and the finished products.

The Central Railroad Co. of New Jersey states that "it is a truism that transportation costs practically determine the life or death of any major industry, particularly one such as the steel industry." The Central Railroad Co. of New Jersey points out that the privately owned steel plants which were in existence in this country prior to the war, were built up primarily with relation to the then-existing levels of transportation costs, so that the life and death of these privately owned plants is dependent upon a delicately adjusted pattern of these costs, relative changes in which should be undertaken with the utmost caution.

The Denver & Rio Grande Western Railroad Co. stresses the fact that the building of new war plants was spread throughout the country apparently for strategic rather than economic or commercial reasons, and has thereby brought about a different distribution of traffic than existed before the war. The railroad believes that it is a matter of speculation whether the reconversion of industrial plants to normal peacetime pursuits, and the conversion of war plants to commercial business, will or will not continue this dislocation of normal traffic flow. Until conditions have become settled, the road believes, it will not only be difficult, but impracticable to indicate rates that would be equally satisfactory to the shipper and the carrier.

The Louisville & Nashville Railroad Co. points out that it would be hurtful to industry and the economy of the country "to expect or require the railroads to adjust their transportation charges for the purpose of maintaining artificially Government plants or facilities which are not soundly located with respect to the raw materials and the markets for the finished products."

The Missouri Pacific Lines believe that there is no issue as to the relationship between railroad rates and the utilization of Government-owned plants and facilities which cannot be satisfactorily resolved by conference and negotiation between the railroads and the owners of the erstwhile Government plant. As far as the rates for steel are concerned, the railroad points to the fact that steel is sold on certain base-point prices and that, in the road's opinion, the freight rate that enters into the picture may or may not be the rate from the point from which the steel is shipped, and that therefore, in some cases it is likely that the measure of the rate itself, whether it be high or low, may not be of any great importance.

Finally, the Pennsylvania Railroad Co. expresses grave concern over the decision of the Supreme Court in the *State of Georgia* case. It anticipates serious confusion in view of the uncertainty which it feels has resulted from the decision and fears that out of the "welter of that confusion" there may come "some Government-ordained rate structure, which . . . would freeze freight rates on a mileage basis."

REPLIES FROM STATE GOVERNORS TO STEEL LETTERS

The only reply received as of April 15, 1945, from any of the State Governors which deals with the substance of the problems involved is one from Gov. Edward Martin, of Pennsylvania. Governor Martin suggests that the following questions should be dealt with in the course of the hearings:

1. What are the replacement needs of old established steel plants as a result of war production and to what extent do added wartime facilities supply these replacement needs?
2. To what extent has improved technology affected the capacity of existing plants to supply anticipated normal demands?
3. What would be the effect on employment in eastern industrial cities of diversion of peacetime steel demand to newly constructed steel plants in West and Northwest?
4. What effect would Government subsidies in form of reduced taxes, preferential rail rates or the like, to maintain steel production in new areas have on reconversion problems and demands of other industries?
5. To what extent would such a policy delay post-war readjustment to a stable and self-maintaining economy?

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 912. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Arthur Dewitt Janes; to the Committee on Claims.

By Mr. HAYDEN:

S. 913. A bill to protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Ariz.; to the Committee on Public Lands and Surveys.

By Mr. JOHNSON of Colorado (for Mr. WHEELER):

S. 914. A bill to amend the tariff act, as amended; to the Committee on Interstate Commerce.

(Mr. CHANDLER introduced Senate Joint Resolution 60, which was ordered to lie on the table, and appears under a separate heading.)

MISSOURI VALLEY AUTHORITY—AMENDMENTS

Mr. JOHNSON of Colorado submitted amendments intended to be proposed by him to the bill (S. 555) to establish a Missouri Valley Authority to provide for unified water control and resource development on the Missouri River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the promotion of family-type farming, the development of the recreational possibilities and the promotion of the general welfare of the area, the strengthening of the national defense, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

PEACE AND PROSPERITY: OUR SHARE IN ESTABLISHING IT—STATEMENT BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the Record excerpts from a statement entitled "Peace and Prosperity—Our Share in Establishing It," delivered by him before the Cleveland Chamber of Commerce, Cleveland, Ohio, April 17, 1945, which appears in the Appendix.]

CITIZENS' DEDICATION TO A LASTING PEACE PLAN—STATEMENT BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD a statement by him entitled "Citizens' Dedication to a Lasting Peace Plan," made in Washington, D. C., April 22, 1945, which appears in the Appendix.]

COMPULSORY MILITARY SERVICE IN PEACETIME—ADDRESS BY SENATOR WALSH

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address in opposition to compulsory military service, delivered by him for the Massachusetts Women's Political Club, in Boston, on April 22, 1945, which appears in the Appendix.]

JUSTICE FOR LITHUANIA—ADDRESS BY ARCHBISHOP RICHARD J. CUSHING

[Mr. WALSH asked and obtained leave to have printed in the RECORD a sermon asking justice and freedom for Lithuania, delivered by Most Rev. Richard J. Cushing, D. D., archbishop of the diocese of Boston, on April 22, 1945, at the cathedral in Boston, which appears in the Appendix.]

ANNIVERSARY OF BIRTH OF THOMAS A. EDISON—ADDRESS BY SENATOR PEPPER

[Mr. BILBO asked and obtained leave to have printed in the RECORD a radio address on the birthday anniversary of Thomas A. Edison, delivered by Senator PEPPER in Washington, February 10, 1945, which appears in the Appendix.]

THE SAN FRANCISCO CONFERENCE—ADDRESS BY ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address on the subject The San Francisco Conference, delivered by Hon. Alf M. Landon, in Topeka, Kans., April 22, 1945, which appears in the Appendix.]

EULOGY OF THE LATE PRESIDENT ROOSEVELT BY D. D. MONROE

[Mr. HATCH asked and obtained leave to have printed in the RECORD a eulogy on the late President Roosevelt delivered by D. D. Monroe, grand sire of the Independent Order of Odd Fellows, at Clayton, N. Mex., on April 13, 1945, which appears in the Appendix.]

THE JEWISH PROBLEM AND ITS SOLUTION—ADDRESS BY WILLIAM B. ZIFF

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address on the subject The Jewish Problem and Its Solution delivered by William B. Ziff, at the Hotel Astor, New York City, at a meeting in commemoration of the thirtieth anniversary of the creation of the Jewish Legion in World War No. 1, which appears in the Appendix.]

ACCIDENTS IN THE AIR

Mr. LANGER. Mr. President, in this morning's Washington Post I find the following article:

CURTISS PLANT DENIES PLANES WERE DEFECTIVE

BUFFALO, N. Y., April 21.—Curtiss-Wright Corporation's Buffalo plant tonight issued a denial of charges that it produced defective planes and permitted improper inspection.

Senator WILLIAM LANGER (Republican), North Dakota, last Wednesday accused the plant of producing defective aircraft and forcing them into the armed services through improper inspection. The Senator offered as proof a document he said was signed by a former Curtiss inspector, Frank R. Hirsch, of East Aurora. The firm said Army intelligence had reported "the statements made by Mr. Hirsch were wholly inaccurate."

Mr. President, as will be noted, the article mentions the fact that I made certain charges, and I wish to say that I have testimony in addition to the statement of Frank R. Hirsch, a former inspector. The Mead committee, or the Truman committee, has failed to report for a period of 21 months. Unless we get some report by a week from today, I intend to offer a resolution asking for the appointment of a special committee, because the records show that our pilots are still dying at a greater rate in this country than they are in the theater of war.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TOBEY. If my memory serves me correctly, the planes in question, which it was brought out by the Truman committee were defective, were used as training planes for the instruction of the youth of America in flying, and Government inspectors were barred from the planes while these phony operations went on, if I remember the evidence correctly.

Mr. LANCER. The Senator's recollection is correct.

ATROCITIES IN GERMAN PRISON CAMPS

Mr. CHANDLER. Mr. President, the people of our country have been deeply stirred at the messages just received from General Eisenhower and others referring to the treatment accorded by Germans to prisoners of war. They are now convinced that American prisoners, and the prisoners of our allies, have received atrocious treatment at the hands of the Germans. It has taken the American people a long time to become convinced that the Germans would descend to the level to which apparently they have fallen in the abuse of prisoners.

Last Friday, when reports came through, after advising with officials of the O. W. I. and Representative BROOKS, of Louisiana, we jointly prepared a joint resolution to be introduced into both Houses of Congress this morning. The joint resolution will be presented in the other House by Representative BROOKS today. In the meantime, some of our colleagues are either on the way to visit the prison camps, or perhaps by this time may have arrived.

I daresay the Senate will desire to take some action, and the joint resolution I have in my hand is intended to give the President of the United States the authority to appoint a permanent war atrocities commission, or a semipermanent commission, as he may desire, to examine and keep a record, so that for all time the American people may have a record of the treatment of Americans and Allied prisoners by the Germans in the war.

This is a very short joint resolution, and is not intended to conflict, of course, with what has already been done. It may be that if a permanent commission is organized, the President will want to appoint the Members of the House and Senate who are already serving, and there is no idea on the part of either Representative BROOKS or myself to do anything today except to be certain that the brutal treatment being accorded prisoners is called to the attention of the

American people, and that the Senate and House of Representatives have an opportunity to make their wishes known to the President and to the country.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BILBO. The Senator referred to atrocities committed by the Germans. Does the Senator include the Japs also?

Mr. CHANDLER. If the War Atrocities Commission is appointed by the President it will of course inquire into atrocities wherever committed, in any part of the world. By reason of information gained by members of the Senate Committee on Military Affairs and of the Mead Committee and of the Appropriations Committee, when we visited war areas in 1943, it has been generally known that the Japs have been guilty of bestial treatment to American prisoners. In diaries captured by the forces of General MacArthur and others, Japanese soldiers have themselves told stories of atrocities committed by them in order that they may be considered to be great men when they return to their own country. Fortunately not many of them are going to return. General MacArthur has in his possession statements by Japanese in their own handwriting, which clearly set forth the atrocities committed by them upon American prisoners.

The joint resolution I am about to introduce reads as follows:

Whereas American prisoners of war released from Nazi prison camps are a living testimonial to the complete disregard by the Germans of the concepts of mercy and decency included in the Geneva Convention; and

Whereas American news services have recently released reports confirming the existence of prison camps wherein the members of the armed forces of our gallant Allies have been subject to similar bestial treatment; and

Whereas the nationals of our Allies from France, Belgium, The Netherlands, Poland, Greece, Yugoslavia, Czechoslovakia, Norway and the Soviet Union have been enslaved, tortured, and slaughtered with the full knowledge of Axis authorities; and

Whereas such brutal and inhumane conduct is the natural product of those debased political ideas and degrading social concepts held in common by Nazi and Japanese militarists; and

Whereas the United Nations have signified their intention of holding personally responsible for these vile assaults against the dignity of mankind those Germans who have authorized as well as those who have committed such acts: Therefore be it

Resolved, etc., That it is the sense of the Senate and the House of Representatives of the United States, that the President of the United States appoint a commission to be known as the War Atrocities Commission to examine, investigate, and report upon the descent of the Axis annihilations far below the level of animal cruelty, outreaching the lust to kill of the most primitive savages; and be it further

Resolved, That this Commission should consist of equal membership from both Houses of Congress, from private citizens of the United States, and provided that at least two wearers of the Purple Heart from the lower echelons of the armed forces of the United States be included; and be it

Further resolved, That the Commission should be immediately appointed and immediately sent to the scene of these atrocities, so that:

1. The people of the United States shall have the benefit of the information collected and the decisions made by this representative commission; and so that

2. The United States delegation at the San Francisco Conference shall likewise have this information and these decisions at their disposal.

It is desirable that this information be in the hands of the delegations to the San Francisco Conference so they may consider it in connection with decisions to be made by them with respect to the people involved.

Mr. President, certainly there can be no peace reestablished in the world until we insist that conventions dealing with treatment of prisoners are lived up to. Senators have but to visit a German prison camp in this country or a Japanese prison camp in this country and see the kind of treatment accorded German and Japanese prisoners. The other day at Como, Miss., a German major general was buried with full military honors. The American authorities permitted the Hitler Fascist salute to be given at the burial of the general. They permitted the firing of a salute of guns and the display of the Nazi emblem. The treatment we accord German and Japanese prisoners is far and away different from the treatment accorded American prisoners in the hands of the Germans and Japanese. We must see to it, Mr. President, that in the future mistreatment of our soldiers shall not again occur.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I wish to ask the Senator from Kentucky if his joint resolution refers to the committee which, according to the press, has already been formed and is on its way to Europe, or does the resolution refer to a committee in addition to that one?

Mr. CHANDLER. When we prepared the resolution it was not known either by Representative Brooks, or by me, or by the O. W. I., so far as I am informed, that any group Members of Congress had been appointed, or would be appointed. This is the first opportunity which the House or the Senate have had since the report and request came from General Eisenhower when either House could take official action. Action has heretofore been taken by someone. The action proposed by the resolution is not intended to be competitive with previous action. I have no desire to interfere with anything that has been done previously. If the permanent Commission is appointed it is possible that Members of Congress who are now on the tour of concentration camps will be appointed to the Commission.

Mr. AIKEN. Mr. President, how is it possible for so many Members of the Congress to take these trips to the battlefields of the world and to foreign countries? It was day before yesterday, I believe, that we heard that 3 Members of the House of Representatives had visited a certain place in Europe, and this morning the press states that 8 Members of the House are visiting battlefields and concentration camps in Europe. Then we hear over the air that 17 editors, and no one knows how many

Members of both Houses, are taking another trip. How do they get there? Do they go on their own account, or how?

Mr. CHANDLER. I have been informed that some of them have been invited to go by the British Government, and perhaps by other governments.

Mr. AIKEN. Who pays the expenses?

Mr. CHANDLER. I am not advised as to that. If you are invited, I assume the one who invites you pays the expenses. I have been told that some Members of the House and others have been invited by the British Government to visit the concentration camps, and have already gone. If a Senator or a Representative is named by a Senate or House committee to go over there, the War Department has arrangements whereby the expenses are paid. I understand that 12 of our colleagues are on the way overseas, or perhaps by this time have arrived. I do not know who is going to pay their expenses. I have not been consulted in that matter and I cannot answer.

Mr. AIKEN. It does not seem to me to be a very good or safe rule for Members of either House—probably I should not refer to the other House, but I may say it is not a good or a safe rule for Members of the Congress to go anywhere merely because someone offers to pay their expenses. I should think the United States Government should pay the expenses, if it is not already doing so, of any Members of the Congress who are visiting various parts of the world.

Mr. CHANDLER. Let me say to the Senator that a committee of Senators went all the way around the world, and, so far as I know, our expenses were paid by the United States Government. I have never accepted any invitation by any other government, and I would not do so.

Mr. AIKEN. I think that is the way all these trips should be made.

Mr. CHANDLER. We were authorized to make the trip by our respective committees and by the Senate, and we made the trip under that authority.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HILL. It is my understanding that nearly any Member of Congress who desires to do so may go overseas at the invitation of the British Government. It is also my understanding that most of the Members of the House of Representatives who have been overseas, and have been in the European theater during the last few weeks, or who may be there now, made the trip at the invitation of European governments.

As the Senate knows, on Friday last, General Eisenhower cabled to the War Department urging that the War Department send a committee of 12 Members of the Congress, 6 from the Senate and 6 from the House of Representatives, and a number of members of the press, to visit and to see at first hand the prison and concentration camps of the Nazis, in order that the Members of such committee might see with their own eyes the horrors of those camps and the evidences of the brutality and of the atrocities which had been committed in those

camps. As a result of this request by General Eisenhower the War Department designated the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. THOMAS], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] as the 6 Senate Members of the committee to go over and to represent the Senate.

Mr. AIKEN. How long has it been since the War Department was naming Members of congressional delegations? What right has the War Department to say who shall represent the Senate, and what authority is there for letting foreign governments pay the expenses?

Mr. HILL. I would say in reply to the distinguished junior Senator from Vermont that the War Department would have no power to name Members from the Senate unless the naming of such Senators was perhaps agreeable both to the distinguished majority leader and the distinguished minority leader. I can well imagine that the minority leader was consulted in this matter. General Eisenhower was anxious to have six Members of the Senate visit Europe for the purpose indicated. As the Senator knows, so far as the majority is concerned—and I believe also so far as the minority is concerned—most distinguished Senators, occupying the most important positions in the Senate, were selected. For example, the distinguished Senator from Kentucky [Mr. BARKLEY] is the majority leader. The distinguished Senator from Georgia, chairman of the Committee on Finance, is now also acting chairman of the Foreign Relations Committee of the Senate, in the absence of the distinguished Senator from Texas [Mr. CONNALLY] at the San Francisco Conference. The distinguished Senator from Utah [Mr. THOMAS] is chairman of the Senate Committee on Military Affairs. So it will be seen that so far as the majority is concerned, the majority leader, the acting chairman of the Committee on Foreign Relations, and the chairman of the Committee on Military Affairs were designated. I believe that an examination of the list of names from the minority will show that the minority Members are equally distinguished.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I have not the slightest objection to the make-up of the committee which has gone to Europe; and it is probably a good thing that it has gone. The question I raise is whether we should permit the War Department to name such committees, or whether it should be done by the Senate itself. I do not recall that the question has been brought before the Senate. Possibly it has. I do not recall that leave of absence has been given. Furthermore, I believe that expenses of trips such as this should be paid out of congressional appropriations, and not by any foreign government or by any other department of the Government.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HILL. So far as expenses are concerned, I presume that the Members of both Houses will travel in War Department or Navy Department planes. In this case, General Eisenhower having made the request, I suppose they will travel in War Department planes, and that while the members of the committee are over there they will be billeted with our troops. No doubt they will be fed at Army messes, and will live in an Army camp while they are there.

If the Senator from Kentucky will further yield to me in that connection, at this time I ask unanimous consent that the six Members of the Senate to whom I have referred may be excused from calls of the Senate during their visit to inspect and see at first hand the German prison camps.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama?

Mr. MORSE. Mr. President, I shall not object, but I wish to register an objection to the procedure by which the designations were made. In my judgment, when a committee of the Senate of the United States proceeds on such an inspection trip as this, the members of the committee should be designated by the Senate, and not by the War Department, or any other executive agency of the Government.

Mr. CHANDLER. I had not assumed that the War Department selected the Senators. Of course, I have no way of knowing. The reason for this resolution was to give authority for what was done. I wish the Senate to understand that this resolution is not intended to be competitive. I think perhaps it was exceedingly important that General Eisenhower's request be complied with at the earliest possible moment. I believe he wanted Members of Congress to be on hand as soon as possible. It seems to me important that the bodies of those who were mangled, bruised, and beaten be viewed immediately, so that they may be buried. I think perhaps that was the reason for haste. As my friend from Oregon has suggested, personally I would not approve of the War Department's selecting Senators or Members of the House to make inspection trips on behalf of the Congress.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. MORSE. My comment is based upon my understanding of the statement made by the distinguished Senator from Alabama. I understood him to say that the designation of the particular individuals selected was made by the War Department. To that principle I object. As to the request for leave of absence to the Senators involved, I do not object.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. WHITE. Perhaps I can say a word in clarification of the situation. At any rate, I can assume some of the responsibility for what has happened.

The first I heard of this matter was on Friday afternoon, when the majority leader of the Senate told me of the invitation which had come from General Eisenhower, through military channels,

embodying a most earnest appeal that a group of Senators and Representatives be sent to Europe at the earliest possible moment so that on their return they might report to the American people and to the Congress the precise situation with respect to the German concentration and prison camps, and as to the atrocities which had been practiced not alone upon our own people, but upon citizens of Germany and others.

I heard of the invitation Friday afternoon. There was a cablegram from General Eisenhower. I believe it came through General Marshall. The appeal of General Eisenhower that such a visit be made was concurred in by General Marshall.

I knew nothing about the make-up of the senatorial group until the following morning. Then I obtained further details as to the trip. Members of the group were to leave Sunday morning, because it was imperative that if they were going at all, they should be there at the earliest possible moment.

As minority leader, I took the responsibility, after consultation with such Members of the minority as I could reach on Saturday morning, of submitting the names of three Members of the minority to go on this trip. I submitted the list to the majority leader, and I assume that he passed it on to the War Department, and that final arrangements were consummated by the War Department.

I do not know whether I have violated the proprieties, or offended the sensibilities of any Senator; but there was what seemed to me to be an imperative request from the highest military authority overseas that this group of Senators be sent over there. If it were to be done, it had to be done at the moment. There was no opportunity for reference of the matter to a committee of the Senate. There was no opportunity for committee consideration, or consideration by the Senate. After consultation with such Members of the minority as I could reach, the names of three Members of the minority were submitted by me. I did not assume that I was appointing a committee of the Senate or members of such a committee. I acted on the assumption that I was recommending Members of the Senate as desirable and proper persons to go on this trip.

I think it would be tragic if in the circumstances leave of absence should now be denied to those Senators. From my conversations with the Members recommended I know that they were reluctant to take the trip. The senior Senator from Kentucky was most reluctant to go. The Senator from Georgia expressed himself as being reluctant in the extreme. I know that the Senator from Utah did not wish to go; and I know that Members chosen from this side did not wish to go. However, they went in response to what they felt was a call to service.

I shared that view. I participated in the selection of the Members who went; and I approved, so far as I had any authority to do so, sending them to make this survey of conditions.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. McMAHON. I for one am perfectly delighted to learn that this delegation has gone abroad. As the able minority leader has stated, the necessity was great; the need was urgent; and I am very much pleased that the able majority leader [Mr. BARKLEY], the Chairman of the Committee on Finance [Mr. GEORGE], and the Chairman of the Committee on Military Affairs [Mr. THOMAS of Utah] are representing this side of the aisle. This is an official delegation, on important and urgent public business. There have been cases in which it seemed to me that certain representatives of the Congress went on frolics of their own, conferring with generals on various fronts about military strategy, of which they knew nothing, and taking up the time of men who have something more important to do, than to entertain persons who knew nothing about the problem. So in my opinion this delegation, as I have said, Mr. President, is important. These gentlemen should have gone in answer to the call of General Eisenhower; but I think that we and all other Members of the Congress should give some care and consideration to the question of going across the water in these times, lest we unnecessarily burden the war effort.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BRIDGES. Wholly aside from the question of this particular trip, addressing myself to a point raised by the Senator from Kentucky [Mr. CHANDLER] and developed by the Senator from Vermont [Mr. Aiken], namely, the matter of Members of Congress going across the ocean or leaving this country and being guests of a foreign country, I think that is wholly uncalled for and improper. I think that Members of Congress who might happen to leave this country and not pay their own expenses certainly should go at the expense of our own Government, not at the expense of a foreign government.

Mr. CHANDLER. Mr. President, I do not know any way to keep a Member of Congress from accepting an invitation from a foreign government if he chooses to do so. I understand that some have received invitations. I never had one; but if I had, I would not have accepted it. The only trip I ever made on an inspection tour was made at the direction of the Senate Committee on Military Affairs, and was approved by the Senate. I think that is the best way, perhaps.

The joint resolution was prepared before it was known that such an emergency would arise or that a committee would be appointed. I desire to repeat that it is not competitive; but I think the Senate and the House of Representatives should take notice of this matter officially. If the joint resolution is not objectionable, I think it should be adopted. I think it should give the President the authority to appoint a bipartisan commission of Members of the House of Representatives and the Senate, Republicans and Democrats, as the civilian part of the commission, and—as the resolution suggests—two wearers of the Purple Heart, two G. I. soldiers who have served in the Army. They should see these things

and should be advised, because they would be able to make some practical suggestions about what the Government of the United States should do under the circumstances.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. I take no issue with the suggestion made by the Senator from Kentucky; but I would assume that General Eisenhower and other responsible military leaders, with the military departments they have available with which to deal with matters such as that to which the Senator from Kentucky has referred, would gather the evidence, document it, take photographs, and in other ways perpetuate it, so that their records would be the best evidence.

While I think that in the circumstances it might have been wise to send one committee over there, fundamentally the obligation of Members of the Senate and the House of Representatives is to remain in Washington and attend to the business of Congress here, and do it as well as we can, and let the military and naval experts conduct the war. It is my opinion that, while this case is an exceptional one, and it might be well to act upon it, and certainly so if General Eisenhower requests it or if the President has requested it, as a general rule a congressional committee cannot do anything over there that the Army or Navy cannot do better. When the evidence is assembled, it could be presented to the Senate and the House of Representatives, and we could, in line with what the Senator has suggested, set up a committee which could review the evidence here.

I am doubtful whether it would be wise for some of us to take 6 months off or 3 months off from our own work here—and that length of time would be necessary in order for a committee to do a complete, good, and thorough job—I doubt whether it would be wise for Senators or Representatives to take off that much time from their work here, on which the Army and the Navy must rely as the source for all the money and support and legislation necessary in order to win the war.

I am not taking any issue with the resolution, except to say that if a commission is appointed, it should sit in Washington, and should let the evidence flow in to Washington from reliable sources, rather than go around and see for itself.

Mr. CHANDLER. Mr. President, I think the commission should be appointed. Where it sits is a matter to be determined later. But in this war the American people are wholly committed together with their lives and property and money. I do not agree that a Senator who votes for war and votes taxes on the American people to support the war and votes billions of dollars in money and property of the people—and their money and property are scattered all over the earth—has no duty aside from voting. I think he owes an obligation to follow that investment as closely as the circumstances allow. Our allies are very smart. They do not make much fuss about sending people to all

parts of the world to see about their affairs.

We are not going to be a provincial country any more. We are not going to be able to live within the borders of the United States, when our sons and our substance are literally scattered all over the globe.

I think the committee trip in 1943 did a great deal of good. I think it has meant a great deal not only to those who took the trip but to those who talked with them later.

This time the War Department has made the request. That is rather unusual, because generally the only time the War Department talks to the Senate is when it wants something.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I wish to say that I think the trip made by the committee in 1943 accomplished a tremendous amount of good; but I wish to state for the Record that that was a duly authorized committee of the Senate, and the expenses were paid by the United States Government, whether through the War Department or some other agency of our Government.

Mr. CHANDLER. The Senator is quite correct.

Mr. AIKEN. That is the way such committees should operate and that is the way they should be designated. They should be authorized by the Congress. If we correctly understand the current newspaper reports, there are approximately 30 or 40 Members of both Houses of Congress abroad, today, investigating the war. How many of them have been authorized to make such trips, I do not know; but certainly such trips should be authorized and the Members of Congress who make the trips should be named in the same manner that the committee which made the very excellent trip in 1943 was named.

Mr. CHANDLER. Yes. I desire to repeat what I said a while ago. If a foreign government wishes to invite a United States Senator or a Member of the United States House of Representatives to visit a country across the ocean, and if the foreign government wishes to pay his expenses, and if the Member of the Senate or the House of Representatives wishes to go, there is nothing we can do to keep him from going, except to expel him. If he wishes to accept the invitation, I do not know of any way to stop him.

Mr. AIKEN. Except that under the rules of the Senate he must obtain the consent of the Senate to make the trip.

Mr. CHANDLER. Yes; but if he did not obtain it, the only thing we could do would be to expel him, I suppose, because otherwise he probably would go if he wanted to go.

Mr. TYDINGS. Mr. President, will the Senator yield to me again?

Mr. CHANDLER. I yield.

Mr. TYDINGS. I think the trip made by the five Senators, who subsequently have been able to view the situation as a result of their memorable trip some time ago, was a good venture. I think the trip made to the Aleutians by the sub-

committee of the Committee on Military Affairs was a good venture. We might keep in mind that one of the sections of the world over which the American flag flies is the Philippine Islands. The Philippine Islands have been devastated to an extent of from \$700,000,000, so I am advised, to more than \$1,000,000,000. Bills are pending in Congress to pay the damages in the Philippines resulting from the war, to revive trade, to establish air bases and military bases, and so forth; so we have a considerable amount of work of that character to do, without going to places where the American flag is represented only on a battlefield.

Inasmuch as large sums of money are involved in these proposals, it seems to me that if there is a desire to investigate some matter with which the Congress has to do, it would be "right down the alley" to examine into the situations I have described. I do not wish anything I say to be regarded as criticism of what has already happened in respect to the committee which is to visit the camps at which atrocities have been committed, because the request to make the trip came from General Eisenhower, nor do I wish to have anything I say regarded as a criticism of the five Senators who went around the world or of the Senators who visited the Aleutians. But from now on we shall have plenty of investigating to do, if we are going to act wisely, in regard to some of the bills relating to territory over which the American flag flies. Until we have handled such matters fairly well, I think extraneous problems might well be left to the military and naval authorities of the United States.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I should like to propound a question to the Senator from Maryland. If it seems advisable to send a committee to investigate conditions in the Philippines before expending vast sums of money to repair the damage there, should not the work which will be involved fall upon the committee of Congress which must deal with the Philippine Islands?

Mr. TYDINGS. Mr. President, I should say that the answer is in the affirmative. A number of bills are now on the Senate Calendar which are very far-reaching, and which will undoubtedly provoke some debate on this floor before the Senate acts upon them.

In reference to the Philippine Islands, I do not believe that the elimination of the enemy in those islands has progressed sufficiently far to enable a congressional committee to do more than to get in the way if it should go there. However, I think that as soon as the situation clears up, and these bills are pressed for action, some of us will have to look the situation over. I am not hunting for a trip to the Philippine Islands, and would not want to go there unless the President, the Senate, or the naval or military authorities asked me to go. I believe that is a rule which we should follow in connection with all congressional

investigations. I cannot see why Members of the Senate or the House of Representatives should travel all over the world and get in the way of military movements when they have plenty of work to do right here at home.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HATCH. I wish to address myself for a moment to what I believe to be the question pending before the Senate, namely, the request of the Senator from Alabama [Mr. HILL] that the Senators who have now departed on a trip abroad be granted official excuse for being absent from the Senate.

Mr. CHANDLER. Mr. President, will the Senator withhold his remarks until I have finished?

Mr. HATCH. May I make an observation upon the subject?

Mr. CHANDLER. I am glad to yield.

Mr. HATCH. I certainly have no objection to the Members who were selected from the other side of the Chamber; but in my opinion no better men could have been selected than the majority leader [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS]. I strongly approve their selection.

If there is any question as to the authority of this committee to make the trip, I am ready to vote now. I am willing to move that the request of the Senator from Alabama [Mr. HILL] be amended so as to provide that the Members of the Senate who compose the committee which is now on its way to perform its duties, shall be designated the official representatives of the Senate in that connection.

Mr. CHANDLER. Mr. President, I agree in part with the statement made by the Senator from Maryland [Mr. TYNINGS], but as to another part of it, I do not agree. I think we should consider our British allies. They are permitted to send representatives all over the world, and they are careful to insure that British interests are protected at all times. In connection with the present war, Congress was asked to appropriate large sums of money. Sometimes it has not been known where all the money was being used. When committees made trips to other countries they were able to ascertain where some of the money had been spent. I dare say that not many Senators would put a considerable sum of money in a bank in Louisiana or in North Dakota without first either going themselves or sending someone on their behalf to investigate the standing of the bank. Persons have been known to buy farms in various sections of the country who later found that no farms had actually been purchased. The land turned out to be a swamp, or something of that nature. We have more than \$100,000,000,000 worth of surplus property located in various parts of the world. I hope that when the war is over that property, in large part, will be salvaged and used for the benefit of the American people. I hope that the part which cannot be salvaged will be sold at a price which will be of some advantage to the American

people. It should not be destroyed or given away.

Mr. President, I do not ask for an immediate consideration of my joint resolution. A similar one was introduced today in the other House. The committee which would be appointed under the resolution would not be a competitor of the committee which has recently left Washington. I have no objection to that committee. However, I believe that the committee for which I ask should have the authority of Congress. My joint resolution was prepared before the committee to which reference has been made was appointed by the majority leader, the minority leader, or the War Department. If my joint resolution is passed I shall be very happy. It is not an offensive resolution, and it will at least indicate that it has back of it some authority on the part of the Senate and the House of Representatives.

Mr. HILL. Mr. President, the joint resolution is in no way offensive. I find myself very much in sympathy with its purposes. However, I think it might be well to have the joint resolution go over for the day, so that opportunity may be afforded to examine it. I have found in my long experience in Congress that oftentimes when a proposal is allowed to go over, and an opportunity given to make an examination of it, it is sometimes possible to find ways of improving it. I think the joint resolution should go over.

Mr. CHANDLER. I have no objection to the joint resolution going over.

The joint resolution (S. J. Res. 60) to provide for the appointment of a War Atrocities Committee by the President of the United States, was read twice by its title and ordered to lie on the table.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama [Mr. HILL] that the Senate authorize the appointment of the members of the committee, and that they be granted leaves of absence from the Senate?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TAFT. I do not believe the Senator from Alabama said anything about authorizing the appointment of the committee. I think the Senator's request was that the six members composing the committee be granted leaves of absence from the Senate.

Mr. HILL. Mr. President, my original request was that the six Members who were designated as a committee to go abroad in response to General Eisenhower's request, be granted leaves of absence from the Senate in order that they might perform their duties.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama?

Mr. CHANDLER. Mr. President, reserving the right to object—and I shall not object—I wish to ask the Senator from Alabama if he wants to stick to the statement that was made that the members of the committee were designated by the War Department. That point may confront us later.

Mr. HILL. I will state to the distinguished Senator from Kentucky that I

was not in the city at the time the committee was designated. As the Senator knows, on Wednesday I obtained consent of the Senate to be absent on Thursday and on Friday. I felt sure there would be no session of the Senate on Saturday, so I returned to the Senate only this morning. However, it was my understanding that, after consultation, the War Department designated those Senators as a committee to go abroad in response to General Eisenhower's request.

Mr. WHITE. Mr. President, I wish to say a further word in explanation. I believe I am warranted in saying that neither I nor the distinguished majority leader had ever heard of this matter until sometime last Friday afternoon. I have already stated that I submitted a list of minority Members of the Senate to make the trip. I understand that that list was transmitted, or in some way made known to the War Department, and that the War Department made all the necessary arrangements for the trip. I have felt, and I now believe, that the Members who went were, in fact, invited by the War Department through the majority leader and me, although I must admit that there was more or less informality in connection with the matter.

Mr. CHANDLER. Would the Senator say that the members of the committee were not selected by the War Department?

Mr. WHITE. The names were suggested to the War Department by the majority leader and by me. I believe it may be said that final acceptance was a War Department action.

Mr. CHANDLER. Would not the War Department have accepted any selection which the majority leader and the minority leader had made?

Mr. WHITE. I believe that is probably true.

Mr. AIKEN. I notice that on the majority side of the aisle the party leaders were selected to go. Did the War Department invite the leaders of the minority party to go?

Mr. WHITE. Mr. President—

Mr. HILL. I yield to the Senator from Maine.

Mr. WHITE. Mr. President, I will say that I was very strongly urged to go.

Mr. AIKEN. By whom?

Mr. WHITE. And I know that the Senator from Ohio [Mr. TAFT], as chairman of the Republican steering committee, was urged strongly to go. Neither of us was able to accept the assignment.

Mr. AIKEN. Then, so far as this side of the aisle is concerned, the ones who are going are really going as substitutes for the ones urged by the War Department.

Mr. WHITE. I do not think that the War Department urged me to go, but did urge the Senator from Ohio to go. I was urged to go by the majority leader and I in turn urged the Senator from Ohio to go, but both of us declined. The suggestion to me came from the majority leader. I believe if it is desired to trace the matter back, it will be found that the majority leader was importuned by the War Department to go.

Mr. MORSE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HILL. I yield.

Mr. MORSE. I want to say that this further discussion of the minority leader and the Senator from Alabama clears up at least some statements by others. I am very much of the opinion that the particular individuals selected should have gone. I am very happy to know that for this side they were selected or named by the minority leader. Anyone he names is perfectly satisfactory to me. But again, for the RECORD, I want to make perfectly clear that point on which I shall stand in future instances, namely, that I think when Members of the Senate of the United States go forth on any such mission as this it should be clearly understood that each should be named by the Senate of the United States, as I now understand was the case in this instance, and that no question as to whether they are acceptable to the War Department should be a point at issue. Whenever the Senate sends them then they become a committee of the Senate of the United States, and any suggestion in the discussion which has just taken place that they were submitted to the War Department for its acceptance, it seems to me, is entirely out of order procedurally. It does not make any difference whether they are acceptable to the War Department; when we decide what Members of the Senate should go on such mission they should be the men who should go.

The PRESIDENT pro tempore. Is there objection to request of the Senator from Alabama?

Mr. CHANDLER. Will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. CHANDLER. I want to associate myself with the views just expressed by the Senator from Oregon. I do not want the War Department to name Senators; I do not want them to have to approve the names, and I want it understood, so far as I am able to have it understood, that the Senate can select its own Members to take the trip.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The chair hears none, and leave of absence is granted by the Senate to the six Senators mentioned by him.

Mr. BILBO. Mr. President, we are in the midst of a war; things are happening every hour. The committee that has been sent to view these atrocities, as the Senator from Oregon says, of course is not a committee of this body, because it was not appointed by this body. My information, from a statement made by the Senator from Maine, is that this request came from General Eisenhower for immediate action; the Senate was not in session, and could not be gotten in session, and that the leader on the Democratic side, the Senator from Kentucky [Mr. BARKLEY], and the leader on the minority side, the Senator from Maine [Mr. WHITE], assumed the responsibility upon the request of the Secretary of War, the invitation coming through the regular channels from General Eisenhower. The suggestion was made, and the list

of Senators was selected by our leader and the leader on the other side of the Chamber. I think the decent and proper thing for the Senate to do is to consent and approve the action of our two respective leaders and make this committee a committee of the Senate. I think we can do that because I believe we all respect what the two leaders did in this emergency. They could not wait for the Senate to act today, because these atrocities were being found and uncovered and the bodies of the dead were being buried. General Eisenhower wanted the committee to get there in time to enable them to see these tragedies before burial had taken place.

I think the respective leaders acted wisely, and I think the proper thing for the Senate to do is to approve their action in naming certain Senators. No Member of the Senate has objected to the personnel, I am sure, because they are all distinguished Members of this body, and men we can believe and rely upon when they come back and make a report. But since they in a sense, at least, represent us, I think the Senate ought to make them a committee of the Senate, and we can do that by approving the action of our respective leaders. I am not going to make a motion, I am merely making the suggestion. I think in that way we can approve of the action which has been taken and make the Senators who have already gone, and who are already there, if you please, a committee of the Senate. We ought to do it, but I am not going to assume the authority to make such motion.

Mr. MORSE. Mr. President, I believe that the distinguished Senator from New Mexico made such a suggestion to the Senate a few minutes ago, and later, perhaps, made a motion. I certainly find myself in accord with such a motion. I am desirous, however, of getting the facts straight in the RECORD. The Senator from Mississippi just said that the Senate was not in session when the request was first made. Unless I have misunderstood some remarks made by preceding speakers, I think the request was made on Friday at a time when the Senate was in session.

Mr. HATCH. Mr. President, I did make the suggestion referred to by the Senator from Oregon, but it was merely a suggestion and expression of my own personal feelings. I did not make a motion or a request, but I want the Senate to know that I agree heartily with what the Senator from Mississippi has said, and I am perfectly willing, if the leaders so desire and think it is proper, to vote for a resolution or a statement authorizing this committee as a committee of the Senate to go to Europe to view these terrible and horrible atrocities, to come back and report to us, and to go to San Francisco and report to the conference there, if necessary. That, however, is only the expression of my own views.

Mr. HILL. Mr. President, I should like to propound a parliamentary inquiry.

Mr. BREWSTER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Maine?

Mr. HILL. I yield.

Mr. BREWSTER. I simply wish to associate myself with the suggestions which have been made regarding the very great value of a formal resolution validating and recognizing this committee and the great service they can render. I believe it will be very important in years to come that there be no question as to the casual character of their selection and the Senate clears, beyond any doubt, the reason for their mission.

I was a member of a committee which had a somewhat casual origin and the fruits of the efforts of the committee were, I think, not all that could have been desired, inasmuch as we simply reported as individuals. I think that when this committee return they should report as a committee of the Senate duly authorized. Their report may become a very important and a very historic document, and I do not think there should be any question that this committee, in whom we have confidence, has the full support of the Senate of the United States in the tremendously important task they are undertaking.

Mr. HILL. Mr. President, would it be in order at this time to move that the distinguished Senators who have gone on this trip be constituted a committee authorized by the Senate to inspect the German prison camps and act in any and all other matters which might be pertinent, and that they make a report of observations to the Senate on their return?

The PRESIDENT pro tempore. Such a motion or resolution would be in order.

Mr. BREWSTER. Mr. President, I would feel that such a resolution should be quite carefully formulated, and that it should be initiated by the War Department, who, I understand, requested the trip, citing that whereas the War Department has asked, or that General Eisenhower has requested, that the Senate of the United States make this inspection, we are responding. Then there would be no question as to the circumstances under which the trip took place. It should also specify rather particularly the scope of the authority of the Senators.

Mr. President, I agree with what the preceding Senators have said about the desirability of proceeding through regular channels. I have not heard all the discussion, but I was somewhat regretful that the President pro tempore was not taken more into account. I think that was unfortunate.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Alken	Cordon	Hoey
Austin	Donnell	Johnson Colo.
Bailey	Eastland	Johnston, S. C.
Bilbo	Ellender	Kilgore
Brewster	Ferguson	La Follette
Bridges	Gerry	Langer
Buck	Green	McClellan
Burton	Guffey	McFarland
Bushfield	Gurney	McKellar
Butler	Hart	McMahon
Byrd	Hatch	Magnuson
Capehart	Hawkes	Maybank
Capper	Hayden	Millikin
Chandler	Hickenlooper	Mitchell
Chavez	Hill	Moore

Morse	Revercomb	Tunnell
Murdock	Robertson	Tydings
Murray	Russell	Walsh
O'Daniel	Shipstead	White
O'Mahoney	Smith	Wiley
Pepper	Stewart	Willis
Radcliffe	Taft	Wilson
Reed	Taylor	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Missouri [Mr. BRIGGS] and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Montana [Mr. WHEELER] is absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference at San Francisco.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Alabama [Mr. BANKHEAD], the Senator from California [Mr. DOWNEY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. McCARRAN], the Senator from Louisiana [Mr. OVERTON], and the Senator from Oklahoma [Mr. THOMAS] are absent attending committee meetings and public business pertaining to their States.

The Senator from Pennsylvania [Mr. MYERS] is absent because of a death in his family.

Mr. WHITE. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco.

The Senator from Minnesota [Mr. BALL] is necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The PRESIDENT pro tempore. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. HILL. Mr. President, as soon as a formal resolution can be prepared with reference to the trip of the Senators to visit the German prison camps, I shall offer the resolution, and ask for its consideration, and for action on it.

Mr. MAYBANK. Mr. President, as a member of the Committee on Military Affairs, I wish to say that I am in thorough accord with what the Senator from Alabama has said, and deeply appreciate his statement. I believe such a resolution as that to which he has referred should be adopted and I think we are very fortunate in having such a committee from the Senate.

DEFERMENT OF FARM LABOR

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to have printed in the RECORD a concurrent resolution which was adopted by the House of Rep-

resentatives by a vote of practically 4-to-1, dealing with the question of drafting farm help, and its effect upon the production of agricultural products, and asking for the appointment of a joint committee of the House and the Senate to investigate.

There being no objection, the concurrent resolution (H. Con. Res. 29) was ordered to be printed in the RECORD, as follows:

Resolved by the House of Representatives (the Senate concurring), That in order that there may be no further misinterpretation of the will and the desire of the Congress in enacting subsection K, section 305, title 50, United States Code, commonly known as the Tydings amendment to the Selective Service Act, Congress reaffirms the necessity to our war effort of said subsection K and again expresses its will and desire that the local selective-service board, in classifying the registrant, observe subsection K and concern itself solely with the registrant's essentiality to an agricultural occupation or endeavor, and to the question of whether or not a satisfactory replacement can be obtained.

That there is hereby created a joint congressional committee to be composed of three members of the Senate Committee on Agriculture to be appointed by the President of the Senate, and three members of the House Committee on Agriculture to be appointed by the Speaker of the House of Representatives, to determine who is responsible for the wholesale induction of essential farmers and farm workers where no replacements are available, in violation of the Tydings amendment, and to determine the effect of such induction upon agricultural production and upon the war effort, are to return its findings to the Congress at the earliest possible date.

ECONOMIC REGULATION OF AIR TRANSPORTATION

Mr. MAGNUSON. Mr. President, one of the very serious problems confronting our post-war civil aviation arises out of the present movement for State legislation to establish economic regulation of air transportation by the States. Simply stated, the issue is whether our common carriers of the air are to be subject to the economic regulation of one government, as at present, or whether they are to be subject to the regulation of 49 governments, as is now proposed.

I have just read a comprehensive article on this important question by Mr. Oswald Ryan, a member of the Civil Aeronautics Board, which has just appeared in the Virginia Law Review of the University of Virginia, and which I think will be of great interest to the Members of Congress and all others who are interested in the progress of American aviation. Mr. Ryan is known to many Members of Congress by reason of his former service as general counsel of the Federal Power Commission, during which time he frequently represented this Government before the Supreme Court and other Federal courts in important regulatory cases, and by reason also of his having been a member of the Civil Aeronautics Board since its establishment in 1938.

I ask that the parts of the article which I have marked be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

ECONOMIC REGULATION OF AIR COMMERCE BY THE STATES¹

INTRODUCTION

Its amazing capacity for speed and its indifference to the barriers of land and water have enabled air transportation to make the greatest contribution thus far made toward the conquest of time and space. Despite a notable past achievement, this three-dimensional transportation now appears to stand at the threshold of its greatest opportunity. Whether that opportunity can be realized depends upon the favorable resolution of several factors, among which will be the public policies that will guide its further development. For air transportation, like all other public-service industries, must operate within the framework of public policies and whether it attains or fails to attain its full capacity for public service will hinge in large part upon the soundness of unsoundness of those policies. And its ability to overcome the physical barriers of land and ocean gives no assurance of an ability to surmount political and economic barriers that may be unwisely and unwittingly reared against its advance.

Vitally important among the factors that will affect the future of air commerce in the United States will be the economic regulatory pattern. Thus far the economic control over our common carriers of the air has been the function of the Federal Government; there has been no significant exercise of State power. Recently advanced proposals, however, contemplate the entrance of the States into the economic regulation of intrastate air commerce. It is the purpose of the present article to inquire into the need for such proposals and their validity in the light of their probable effect upon air commerce and upon the national regulatory policy which Congress in the Civil Aeronautics Act of 1938 has provided for its development.

The evolution of economic regulatory policy with respect to air transportation has followed a different course from that taken by public-utility regulation in the United States. The economic regulation of railroads and highway carriers, of water, gas, electric power, rapid transit, and telephone companies began in each instance with the States and Federal economic regulation was instituted only when the interstate operations of the respective industries reached such volume as required the assertion of the Federal power.²

In each instance, the States were concerned with the regulation of an industry which, at least in the beginning, was essentially local in character. The transportation and communications industries soon became interstate, but even today the bulk of their transactions are intrastate. The one exception prior to the advent of air transportation was radio broadcasting and communication. From the beginning, radio broadcasting and communications have been essentially interstate in character and have developed under the exclusive jurisdiction of the Federal Government with little or no regulation by the States.

¹ "Economic regulation" in the present article refers to regulatory control over the development of scheduled air services, the establishment of rates, control of consolidations, mergers, and acquisitions, interlocking relationships, abandonment of services, supervision of accounts and records, etc. The other type of regulation to which air transportation is subject is commonly referred to as "safety regulation" and involves the prescription and enforcement of safety standards, the issuance, revocation or suspension of licenses or certificates for aircraft and airmen, regulation of air traffic, etc.

² The power industry is typical example. See Irston R. Barnes: The Economics of Public Utility Regulation, p. 770.

Air transportation has developed almost entirely under the stimulus of the Federal Government. The Post Office Department inaugurated, fostered, and promoted the air mail service through the experimental stages. Congress in the various air mail acts of 1925, 1928 and 1934 gave support and financial aid to the development of this new form of transportation not only as a means of securing its advantages for the Postal Service but also with a view to extending its benefits to the commerce, domestic and foreign, and the traveling public of the Nation.³ Thus Congress provided assistance in the form of air navigation aids, civil airways, funds for the construction of airports, and the establishment and enforcement of safety standards.⁴ In general, therefore, it may be said that the States had no significant part in the development of this national and international system of air transportation beyond their limited promotional activities in providing airports and emergency landing fields, often with the substantial financial assistance of the Federal Government and such activities as they undertook in the field of air safety.

It was recognized from the beginning that aviation presented a unique problem requiring uniformity of treatment and those who were most interested in its progress seriously considered the question whether there should be a single and exclusive Federal regulation or whether the control and promotion of aviation should be entrusted to the dual jurisdiction of the State and Nation. In all this, however, there was no suggestion for economic control of air transportation by the States.

After the passage of the Air Commerce Act of 1926, which extended Federal licensing requirements only to aircraft and airmen in interstate and foreign commerce, the States took action to provide licensing requirements for aircraft and airmen subject to State jurisdiction. In nearly all instances the State legislation enacted either required airmen and aircraft to have Federal licenses, or adopted the Federal regulations as the State standards. An endeavor was thus made to secure among the States the uniformity with the Federal standards which all recognized as necessary.

The foregoing describes the general legislative situation with respect to air safety regulation which obtained at the time of the enactment of the Civil Aeronautics Act of 1938. The new Federal act provided regulation for air transportation both in the economic and in the safety fields. But while it limited the economic control to interstate, overseas and foreign air transportation (and all transportation of air mail), its safety provisions covered not only interstate, overseas and foreign air commerce but also "the navigation of aircraft within the limits of any civil airway or any operation or navigation of aircraft which directly affects or which may endanger safety in interstate, overseas or foreign air commerce." The jurisdiction imposed with respect to air safety was broader, therefore, than that imposed upon the economics of air transportation since it embraced all air transportation that traverses the vast system of Federal airways; all air navigation which directly affects or may endanger safety upon those airways; all air transportation that carries air mail; the great volume of nonscheduled air commerce of an interstate character which operates outside

the Federal airways, and also all air navigation that directly affects or may endanger the safety of this "off the airways" interstate navigation. The power thus conferred upon the Civil Aeronautics Board to regulate all flying to the extent necessary to protect interstate commerce was exerted by the Board when it issued its regulation requiring Federal certification of all pilots and aircraft in the United States, thus embracing all flying anywhere in the air space of the Nation.⁵

The Civil Aeronautics Act of 1938, as previously noted, limited its economic control to air transportation defined as interstate, overseas or foreign air transportation or the transportation of mail by aircraft. Thus, nonmail air carriers whose routes lie wholly within the limits of a single State and which do not transport traffic moving in interstate commerce are not included within the terms of the act.

When the various legislative proposals which led to the enactment of the Civil Aeronautics Act were before the Congress, 10 States had provided some degree of economic regulatory control of air carriers.⁶ This control had its source generally in the State constitutions or in statutes regulating or governing public utilities and common carriers. The degree of control exercised by the States has been relatively unimportant although they have claimed the right to exercise the same control as has been applied to the other forms of transportation—the railroads and motor busses.⁷ Those States which have exerted economic control over air carriers have not limited this control to carriers operating physically within the boundaries of the State but have extended it also, to a greater or lesser degree, to the interstate operations of interstate air carriers. Thus Pennsylvania has required interstate carriers to file tariffs with the State commissions. Arizona, Pennsylvania, Illinois, New Mexico, and Colorado have required certificates of convenience and necessity for intrastate operations of interstate carriers.

Active interest in State control of aviation was stimulated by the introduction in the Seventy-eighth Congress of bills which proposed to extend Federal economic control over all air transportation.⁸ This interest manifested itself in bills which were introduced in many State legislatures in session in 1943. Economic regulatory statutes were passed during 1944 in Kentucky, Rhode Island, and Virginia. In addition to the requirements of a certificate of convenience and necessity, the acts generally provided for the regulation of rates, the filing of tariffs and reports, and the other usual economic regulatory provisions.⁹

As previously stated, the need for uniformity in State aviation legislation has been recognized from the beginning and there has been a very real and earnest effort by such organizations as the American Bar Association, the National Conference of Commissioners on Uniform State Laws, and the National Association of State Aviation Officials to propose legislation which would meet that need. A number of bills covering such

subjects as the establishment and enforcement of safety standards, construction, operation, and financing of airports and airport zoning have been proposed and sponsored by one or more of the named organizations, but, because of the rapidly changing situation, including changes in Federal legislation, little if any progress toward uniformity has been attained. However, 44 State legislatures now in session are being asked to consider four uniform legislative proposals—a State aeronautics department act, a State airports act, a model State airport zoning act, and a State air carrier bill. The Aeronautics Department Act has a twofold function—promotion and the enforcement of air safety regulations, the promotional features of which are pre-dominant. The regulatory features are designed chiefly to secure the application of the safety standards and requirements of the Federal Government to flying within the State. No provision is made for the economic regulation of air transportation through the issuance of certificates of public convenience and necessity, the control of rates, fares or services, or the other customary economic controls and interstate air carriers are exempted from the act's safety requirements.

As the titles imply, the State airports act and the model airport zoning act are concerned with the development of an adequate system of airports and with insuring safe conditions on the approaches to the airports.

The uniform State air carrier bill would establish economic regulatory jurisdiction over intrastate air commerce and also over the air carriers which engage in such air commerce whether they be interstate or intrastate carriers. It is this proposal for the establishment of State economic regulation which has caused grave concern among members of the air carrier industry and the Federal officials charged with the administration of the national regulatory policy established by Congress for civil aviation.

THE APPROPRIATE SCOPE FOR STATE ECONOMIC REGULATION

1. GENERAL CONSIDERATIONS

Any appraisal of the appropriate scope for State economic regulation of air commerce must consider both the economics of air transportation and the objectives which public policy should seek to achieve in this industry. There appear to be criteria for judging whether a particular regulatory program is in the public interest. Inasmuch as air transportation is still in its developmental stage, the primary test should be whether the fullest possible economic development of this new form of transportation is facilitated. Air transportation is intimately related to the national defense, the efficient performance of the postal functions, and the advancement and promotion of the domestic and foreign commerce of the Nation; and any development which impairs the efficiency of air transportation in serving these three objectives of national policy must be regarded as contrary to the public interest. The users of air transportation, the travelers and the shippers, are interested in more, better, safer, and cheaper transportation and regulatory policy should be directed to the promotion of these goals. So long as public policy looks to private enterprise to provide public transportation services, a commercially self-sufficient and technically efficient air operation must remain an objective of public policy. The opportunity for air transportation to achieve commercial self-sufficiency and a sound economic condition should not be lightly sacrificed by the adoption of a regulatory program which would hamper or defeat that achievement.

Other considerations are pertinent in weighing the wisdom of a regulatory program. It is obvious that there should be no conflict of jurisdiction between the Federal and the State Governments; conflicting

³ Civil Air Regulations, secs. 60.30 and 60.31, amendment No. 135, effective December 1, 1941.

⁴ Arizona, Colorado, Illinois, Maryland, Nevada, New Mexico, North Dakota, Pennsylvania, Wyoming, West Virginia.

⁵ The Committee on Interstate and Foreign Commerce of the House of Representatives recently reported that: "Thus far there has been practically no economic regulation by the several States. With an occasional rare exception, State agencies, even where they have had the power to regulate, have refrained from exercising the power" (H. Rept. No. 784, 78th Cong., 1st sess.).

⁶ H. R. 1012 and S. 246.

⁷ Virginia, 1944, C. 267; Kentucky, 1944, C. 147; Rhode Island, 1944, C. 1500.

⁸ Air Mail Act of February 2, 1925, 43 Stat. 805, amended by act of June 3, 1926, 14 Stat. 692; act of May 17, 1928, 45 Stat. 594; act of March 8, 1928, 44 Stat. 248; amended March 2, 1929, 45 Stat. 1449; act of April 29, 1930, 46 Stat. 259; Air Mail Act of 1934, 48 Stat. 933.

⁹ Air Commerce Act of 1926, 44 Stat. 568, as amended by act of February 28, 1929, 45 Stat. 1404.

and inconsistent regulations must be avoided. But consideration must be given to the possibilities of such conflicts, for the lawbooks are full of cases where the courts have found it necessary to decide whether the regulations of one government can be reconciled with those of another, and if not, which of the conflicting controls should prevail. The history of Government regulation of the railroads and other interstate utilities has witnessed the progressive extension of Federal responsibility in the wake of the changing character of public-utility operations from local enterprises to large interstate undertakings. Also serious for the new industry would be a lack of uniformity among the several States exercising supervision over the same air carrier. The interstate barriers that have been erected by the inconsistent and divergent State regulations of the highway carriers constitute the classic example of the harm that can be done to the industry and the public when there is no single authority responsible for the sound regulation of an industry. Although there is little likelihood that divergent safety regulations will in the future hamper the development of air commerce, there is the danger that the history of inconsistent and burdensome economic regulation which has been the bane of railway and highway carriers may be repeated in air transportation.

2. THE ECONOMICS OF AIR TRANSPORTATION

No regulatory policy can ignore the fundamental characteristics of the industry to be regulated. Certain salient characteristics of air transportation, therefore, are significant in drawing the distinction between air and surface carriage on the basis of which differences in public policy have developed.

Air transportation is predominantly interstate rather than intrastate in character. This distinction is inherent in the nature of the industry. Air transportation is economically advantageous in proportion to the length of the journey or haul, a situation that will continue in the foreseeable future with the prospective equipment.¹⁰ In the past, intrastate transportation by air has been relatively insignificant in volume, largely because there were very few intrastate route segments where the time advantage of air over surface transportation was important. Although the future is expected to witness a large increase in local air traffic, the increases in the volume of long-distance air travel should be proportionately greater so that the present relation between the two may be expected to continue.

The contrast between air and surface transportation with respect to distances traveled is significant. During the 5 years, 1938-42, the average length of the passenger journey by air was approximately 400 miles. The average passenger journey by rail is approximately 50 miles or, if we disregard the short-haul commutation travel, it is about 85 miles.¹¹

The preponderance of interstate travel over intrastate is much more marked in air than in surface transportation. In 1933 approximately 45 percent of the 132,000,000 passengers handled by the railroads moved in intrastate commerce and 55 percent of the 49,000,000 passengers who traveled by bus were intrastate passengers.¹² In September 1940

only 16 percent of the 213,000 air passengers moved in intrastate traffic, and they accounted for only 8 percent of the passenger-miles reported by the air lines for that year.¹³

A second significant characteristic of air transportation relates to the small volume of business which the air carriers have thus far handled and the relatively narrow profit margins which have been characteristic of air transportation. Air transportation has not yet attained the magnitude of big business. The following tabulation presents the gross operating revenues of all of the air carriers and of certain railroads with comparable earnings:

Operating revenues

[In millions of dollars]

	1938	1939	1940	1941	1942	1943
All air carriers.....	42.8	55.9	76.8	97.3	108.1	123.3
New Haven Railroad.....	73.0	83.4	85.6	107.6	156.1	179.5
Atlantic Coastline System.....	44.1	47.0	50.0	67.4	115.1	153.6
Northern Pacific Railway.....	57.0	63.8	68.7	85.3	119.3	151.5

This tabulation indicates that the entire domestic air-carrier industry is about equal in gross earnings to a medium-sized railroad. Air transportation presumably faces a period of rapid and extensive growth, but thus far it has barely penetrated the existing travel market and has only started to develop that new and larger future market which air transportation's unique advantages in the conquest of time and space will create.

The narrow profit margins which have been typical of air-transport operations reflect certain significant characteristics of the industry. Unlike the railroads and other public utilities, the air lines have not been under the necessity of making any considerable investment in fixed capital; their principal investment has been in flying equipment, but this item, because of the high rate of depreciation, has had more of the characteristic of an operating expense than of a fixed capital account. In their freedom from the necessity for making heavy investments in fixed capital lies a source of economic strength for the air carriers.¹⁴ Narrow profit margins may be a source of weakness as well as of strength, as net profits fluctuate sharply with relatively narrow changes in the level of gross earnings. Thus, air transportation is singularly sensitive to any developments which increase costs or curtail earnings.¹⁵

The ratio of revenues to expenses for all domestic air carriers was 108.87 in 1939,

¹⁰ Civil Aeronautics Board, *Airline Traffic Survey: Origination and Destination*, September 1940.

¹¹ Even if the Government had not undertaken the cost of providing airways, navigation facilities and airports, air transportation would not have been under the necessity of making an investment in rights-of-way at all comparable to those of the railroads. It must be recognized that all of the Government investments in airways, navigation aids, and airport facilities were not made for the benefit of air carriers. Private flyers and military aviation both make a greater use of such facilities than do the air carriers.

¹² This situation is aggravated by the fact that air transportation has thus far served the highest-priced segment of the transportation market. In times of curtailed national income, it is inevitable that air transportation will lose a significant volume of its traffic to lower-priced forms of transportation.

108.42 in 1940, and 108.22 in 1941.¹⁶ The narrow profit margins call for a higher degree of managerial and regulatory care than is necessary in dealing with other public utilities. Management is under the necessity of anticipating and offsetting possible reductions in operating revenues; relatively small increases in expenses may convert a profit into a deficit; investors are much more aware of changes in the condition of the company and are inclined to be more actively critical in their appraisal of management.

During the war period, all of the air carriers have experienced a great increase in the volume of travel which they have been compelled to handle with reduced fleets. The result has been that operations have been conducted with capacity, or near-capacity loads. In consequence, the ratios of revenues to expenses have increased sharply as shown in the following tabulation:

	1942	1943	1944 (12 months to November 1944)
All carriers.....	128.32	129.39	128.21
American.....	126.27	136.82	131.17
Eastern.....	145.22	147.07	138.98
Transcontinental & Western Air, Inc.....	126.88	120.83	123.10
United.....	130.48	135.65	146.11

The figures for 1939, 1940, and 1941 are more representative of the conditions which will prevail when operations return to normal than are the ratios for the wartime years.

A third significant characteristic of air transportation that deserves particular notice is that the industry is still in its developmental stage, both technically and commercially. Neither the size nor the peculiarities of the market which air transportation will ultimately serve can be accurately outlined at the present time. It is, therefore, essential that both management and government avoid freezing the industry into patterns which would make it less flexible in adapting itself to new economic and technical developments or less venturesome in exploring and fulfilling all of its potential opportunities for service.

Regulation came late in the history of other public utilities; only after they had attained a degree of maturity did the State or Nation step in to impose the restrictions of regulation. The norms of these older industries, the extent and character of the public service required, and the nature of the abuses to be curbed were all apparent before regulation reached that stage of evolution which the control of air transportation has already reached. In other fields of public transportation a substantial measure of competition was relied upon to insure that managements would be progressive, alert, and imaginative in fully exploiting their opportunities. Because air transportation has recently been moving in the direction of increasing competition, both by alternative routes and by parallel operations over the same route, it has been, and still is, essential that the public and the industry be able to hold the regulatory authority responsible for maintaining and fostering that economic environment which will insure the vigorous, progressive, and efficient growth of air services. That responsibility cannot be effective if it is to be administratively divided among different governments by a system of multiple regulation.

¹³ The corresponding figures for the four largest domestic carriers were, for the same years, as follows: American, 115.73, 113.89, 117.02; Eastern, 117.59, 124.44, 122.32; T. W. A., 103.30, 98.81, 96.24; United, 104.98, 104.85, 105.76.

¹⁰ Frequency of stops en route invariably increases the costs of operation since the take-off and landing and the maintenance of ground personnel and facilities are expensive.

¹¹ No figures are available for the average haul of express or cargo matter by air.

¹² Federal Coordinator of Transportation, *Passenger Traffic Report*, appendix I (1933). Commutation traffic is excluded from both the railway and bus data.

The developmental stage of air transportation has a further significance. In this stage it is of first importance to keep overhead costs, including the costs of compliance with public regulations, at the lowest figure consonant with safe and adequate service. The size of the market which air transportation can serve is limited by the level of charges imposed by contemporary conditions of cost. The large volume operations, which are essential both to give stability and security to the industry and capacity to fulfill its obligations to the public, can be achieved only if progressive rate reductions are possible.¹⁷ Thus the industry's rate of growth will be dependent upon the ability to keep costs as low as possible. One test of the proper governmental policy toward air transportation is the contribution which such a policy can make to the achievement of lower costs and lower rates.

3. FEDERAL REGULATION OF AIR TRANSPORTATION

The character of Federal regulation of air transportation deserves passing notice. Prior to the establishment of the Civil Aeronautics Authority in 1938,¹⁸ the Government was principally concerned with promoting and fostering the development of air transportation. Regulation to protect travelers and shipper from overcharges was lacking. Primary attention was devoted to promoting both the technological and the commercial progress of the industry. The establishment of the Civil Aeronautics Board marked an elaboration in governmental policy toward commercial aviation. The Board was charged with responsibility for the promotion and maintenance of an air transportation system adequate to the needs of commerce, the Postal Service and the national defense, but in addition to these promotional and developmental responsibilities, the Board was charged with regulating the entry of new carriers into the business, the extension or abandonment of existing routes, the reasonableness of rates charged to travelers and shippers, and the establishment of that mail rate which would be necessary to the fulfillment of the national policy.

4. CERTIFICATES OF CONVENIENCE AND NECESSITY

If the States should require certificates of convenience and necessity as a prerequisite to engage in intrastate air commerce, how can such regulation be integrated with existing Federal controls? What effect will such State regulation have upon the present program of Federal regulation? These are pertinent questions in reaching any judgment on the wisdom of State economic regulation as currently proposed.

Four factual situations must be considered in any discussion of the above questions: The intrastate operations of an interstate airline; a geographically intrastate operation connecting with an interstate operation and serving as a feeder line; a geographically intrastate operation paralleling and competing with a segment of an interstate operation; and an intrastate operation which is wholly unrelated to and does not affect any interstate services. Under the proposed State legislation, the States would grant a certificate of convenience and necessity to any intrastate service already in operation. This grandfather clause would result in the automatic certification of existing air carriers to continue to engage in intrastate air commerce where they are already doing so.

¹⁷ See address by L. W. Pogue, Chairman, Civil Aeronautics Board, on air transportation's post-war passenger potential. Proceedings of National Aviation Clinic, Oklahoma City, Okla., November 17, 1944.

¹⁸ By Reorganization Order No. IV the name of the Civil Aeronautics Authority was changed to Civil Aeronautics Board.

For new operations, however, an interstate carrier desiring to engage in air transportation between two cities within the same State would find it necessary to procure a State certificate. In such a proceeding, the State commission would either merely "rubber stamp" the existing Federal authorization or would issue an independent decision which, unless it were in accord with the Federal decision, would create a conflict that could only be detrimental to the development of air commerce. If the State authority should automatically grant a State certificate to any carrier having a Federal certificate, it is difficult to see where the State regulation would in any way add to the effectiveness of existing controls or would otherwise serve the public interest. On the other hand, if the State regulatory body should refuse to permit a federally certificated interstate carrier to engage in intrastate commerce, the interstate carrier would be deprived of the opportunity to render an economical and efficient service; it might be prevented from achieving a better load factor and might thereby be compelled to operate less economically and at higher unit costs. Such a result might represent the attempt of the State body to afford protection to an existing intrastate operator or it might be the result of a desire of the State agency to develop a different pattern of air service which called for the performance of that segment of air transportation by a different carrier from that certificated by the Federal Government. In either event, the Federal program for the development of a national system of air transportation would be disrupted; the requirements of the national system would necessarily be subjected to considerations pertinent to a limited State system of air transportation which clearly would be unable to make as important a contribution to the public interest of the State as the national system. Such a system of State certification of intrastate operations by interstate carriers would compel the interstate carriers, some of whom operate through 20 or more States, to petition each State where they propose to make more than one stop and obtain appropriate authorization to carry passengers and property between points within the State.

What would be the situation if a State commission should undertake to certificate carriers to engage in feeder operations, connecting with one or more interstate carriers? If such carriers are in fact feeder operations, they are subject to Federal control under the Civil Aeronautics Act since they are carrying interstate commerce. The fact that they would also be engaged in the carriage of a substantial volume of intrastate commerce would not alter their status as a component of the national air network. Feeder operators would presumably be engaged in the carriage of mail, another factor which would bring them under Federal control, especially if they required mail payments to aid in the development of their service. Such feeder-line operations, whether confined wholly within a State or operating between two or more States, would constitute a significant part of the national system of air transportation and it would seem that they would be properly subject to Federal control. If they are also subject to State regulation, the possibility exists that the State plans for air transportation may not conform to those of the national agency; the result may be jurisdictional conflicts and compromises which would seriously detract from the ability of the carrier to perform an essential public service.

An intrastate operation paralleling and competing with an interstate operation is the third type of service which the State might certificate. Here again action by the State might interfere with the Federal program of balanced and controlled competition. In view of the judicial precedents

heretofore noted, there would seem to be little doubt that a paralleling and competing air carrier operating wholly within the State could be brought under Federal jurisdiction if its operations were found by Congress to affect interstate commerce.¹⁹ If, for example, a State operator should fly between San Francisco and Los Angeles or between El Paso and Texarkana, or between New York and Buffalo, the resulting diversion of traffic from the interstate operator would undoubtedly supply the constitutional basis for the exercise of Federal control. It is clear, however, that Congress thus far has not exerted its power to impose any such economic control over intrastate air operations.

It is only in the case of the air line whose operations neither parallel and compete with the interstate carrier nor connect with the interstate carrier in such a way as to carry a substantial volume of interstate commerce that the State authority could regulate through the issuance or denial of certificates without the danger of seriously disrupting the program of regulation adopted by the Congress. It may be questioned whether many such operations will exist. Many will doubtless be started, but few will survive in such a restricted area. The economics of the market for air-transport services will normally require the local operator to adjust his operations to a market which extends across State lines.

Thus it appears that State regulation of air commerce through the granting or withholding of certificates of convenience and necessity involving as it would a multiple control by 49 governments instead of a unified control by 1, carries the prospect of an adverse effect upon the development of a national system of air transportation. The public benefits to be anticipated through such a division of regulatory responsibility would hardly seem to justify the burdens thereby imposed.

CONCLUSIONS AS TO THE APPROPRIATE SCOPE FOR STATE REGULATION OF AIR COMMERCE

1. AN APPRAISAL OF THE ARGUMENTS FOR STATE REGULATION

In weighing the conclusions as to the appropriate scope for State economic regulation, the arguments advanced for State regulation must be examined, and the probable consequences, for good and for evil, of State regulation must be assayed. A number of minor considerations call for passing comment.

The case for State regulation is more impressive on the political than on the economic plane. Considerations of the dignity of the State and the possibilities of Federal encroachment, while they are potent political arguments, are largely irrelevant to the basic issues of public interest, National or State. Air transportation is essentially interstate and international in scope. The local services will be of importance chiefly as they are integrated with the interstate services. Even the local operations will be largely interstate, both in carrying passengers and goods in interstate commerce and in operating across State lines. Federal regulation will of necessity have to assume major responsibility for the development and control of such services. However anxious the Federal Government might be to avoid regulatory responsibility and however eager the States may be to preserve their jurisdiction, the economic determinants of the industry press irresistibly in the opposite direction. The regulation of air commerce not isolated from the national network, if it is to promote the national interest, must be Federal. No State body can be given jurisdiction coextensive with the operations which it must govern;

¹⁹ *United States v. Wrightwood Dairy Co.*, supra, note 51; *Wickard v. Filburn*, supra, note 53.

State regulation in all likelihood would become a crazy quilt of clashing colors and inconsistent patterns.

2. A BURDEN UPON AIR COMMERCE

State regulation threatens to lay a serious burden upon the development of air transportation. This is so for two reasons: State regulation is likely to result in numerous conflicting and inconsistent orders by the several State commissions and by the Federal and State authorities; the very multiplicity of regulation to which air transportation will be subjected in itself will constitute a serious economic burden which may jeopardize the development of the industry.

The burdens resulting from multiple regulation by the States and the Federal Government would be of two types. One of the serious burdens that could result from independent State action to authorize new services would arise from the competitive duplication of interstate services by intrastate operations.

Significant financial burdens could be expected to result merely from compliance with multiple regulation. Many of the air lines operate across a dozen States or more; five are transcontinental in their operations; four traverse the length of the country north and south. The compliance burdens resulting from State regulation become serious then because the carriers are subject to so many separate jurisdictions and because the earnings of the industry will not support such a burden. The small volume of air operation and the narrow margins of profit make air carriers peculiarly sensitive to increases in costs. In the years immediately ahead, it will be essential for air transportation to drive steadily and successfully toward lower levels of costs if the industry is to serve a mass transportation market which will give it economic stability and security. Any development, such as the necessity of conforming to the regulations prescribed by each of the States through which the carriers operate, might seriously impair the ability of the industry to reduce costs and perform the larger public service of which it is otherwise capable. In this respect air transportation differs significantly from surface transportation, both rail and highway; differences in the volume of operations, differences in the operating margins, differences in the proportion of local to interstate business, and differences in the number of separate jurisdictions to which air carriers would be subject, all combine to strike down any assumed analogy between air and surface transportation as a support for a multiple regulation of air commerce.

3. OTHER CONSIDERATIONS

There exists among members of the air industry a not unnatural fear that the regulation of air commerce by the State public service commissions and the railroad commissions may lead to the adoption of State programs which will be contrary to the policy being pursued by the Federal Government. The future relations between air and surface transportation inevitably color much of the thought and discussion with respect to proposals for State regulation. In the Federal Government, the regulation of surface and air carriers are entrusted to two independent regulatory bodies, and it is significant that the Civil Aeronautics Act of 1938 does not mention the possible effects of air competition upon surface carriers as one of the matters to be weighed in deciding what development of air transportation is in the public interest.

The present movement for State regulation of air commerce recalls the campaign for State regulation of highway carriers in the early 1930's. Some of the consequences of that regulation deserve mention. The lack of uniformity of State regulations, especially

as applied to the weight and size of vehicles, brought disastrous consequences in the erection of trade barriers, which were wiped out temporarily only under the pressure of war necessities. Multiple State economic regulation might be equally disastrous for air transportation. The regulation of highway carriers, both by Federal and State bodies, was accompanied by the application of the norms and patterns of railroad regulation to the competing highway carriers. One result has been a tendency for the rates of one carrier to be set with regard to their influence upon other types of carriers. Compromise in adjusting the requirements of one form of transportation have not only deprived the public of many of the advantages which might have been expected from a more vigorous competitive development of each form of transportation, but have even deprived the public of some of the advantages in the form of low costs and low rates which were expected to follow from public investments in the improvement of highways and waterways. As applied to air transportation, there is a fear that rate differentials would be maintained between the several forms of transportation, and that new air services would be refused certificates where State authorities believed existing surface transportation adequate. The latter fear has been accentuated by a provision in a recent Kentucky statute requiring the commission to consider existing surface transport services in passing upon applications for new air services. Such a policy would, of course, be diametrically opposed to the basic principle of the Civil Aeronautics Act of 1938 which is to encourage the maximum development of air transportation consistent with the national interest. The fear that air transportation might be subordinated to surface transportation is very real and is not without adequate foundation in past and contemporary history, both in this country and abroad.

4. THE RELATION OF STATE TO FEDERAL REGULATION OF AIR COMMERCE

Where do the States fit into the regulation of air commerce? The States may have a role to perform in the regulation of air transportation in the future. If and when the States begin to regulate, the proper exercise of their functions will require a careful articulation with the functions of the Federal Government if the result is not to handicap the development of air commerce. Any system of State control of aviation must avoid duplicate and multiple regulation of the same air carriers by both the Federal and State Governments. This principle is essential not only to avoid conflicting and inconsistent regulations but also to spare the industry the burdens which compliance with multiple regulations would impose. This conclusion is not dictated by a desire to deal more favorably with air carriers than with surface transportation companies; rather it rests upon a realistic recognition of the fact that air transportation, because of its relatively small business volume and narrow profit margins, cannot develop and effectively serve the public unless every effort is made to insure lower unit costs and reduced rates.²⁰ Such multiple regulation cannot be

²⁰ The sensitivity of air transportation to increases in cost and the importance in the public interest of avoiding unjustified and unnecessary costs were recognized by the Congress when, following the decision of the Supreme Court in the *Northwest Airlines case (Northwest Airlines v. Minnesota, 322 U. S. 292 (1944))*, it directed the Civil Aeronautics Board in Public Law No. 416 to study the problems of multiple and burdensome taxation of air commerce and to prepare recommendations as to the means of avoiding such taxation.

successfully defended on the ground that it is necessary to serve any essential public interest. Indeed, the prospect for purely intrastate air transportation, that is, the operation of air carriers confined wholly to the State and not engaged in the carriage of interstate commerce or the mail, could presently be cited as a basis for the establishment of State control in but a few States, and even in those States, the local air carriers will seek to place themselves within Federal jurisdiction in order to qualify for the mail payments which they require to finance their development.

If, however, the State should conclude that a public need exists for State regulation of air commerce at the present time and should undertake a program of active economic regulation, what should be the scope of the State commission's jurisdiction? Certainly every effort should be made to prevent conflict between State and Federal regulations and duplicate regulation of the same airline by both Federal and State authorities should be avoided. To insure this result each air line should be responsible to only one rather than to many regulatory bodies. Therefore, any State regulatory legislation should limit economic control to those air carriers which are not subject to Federal regulation. Air transportation in the United States cannot properly develop and fulfill the national objectives which Congress has declared in the Civil Aeronautics Act of 1938 as essential to the national interest if it is to be subjected to varying and conflicting patterns promulgated by the Federal Government and the 48 States.

OSWALD RYAN.

WASHINGTON, D. C.

FULL EMPLOYMENT AFTER THE WAR

Mr. MURRAY. Mr. President, the most important question in the minds of the American people today is whether we will have depression or prosperity after the war. This question underlies all our debates and discussions on current issues—from price control and international-currency stabilization on the one hand, to war-manpower legislation and wartime-wage policy on the other.

To an increasing extent discussion of this question seems to center around the full-employment bill, introduced in the Senate by the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and myself; and in the House of Representatives by Representative PATMAN. One of the most interesting of the recent discussions of our post-war future appeared in the Washington Post and other newspapers throughout the country on Tuesday, March 27, in an advertisement by the McGraw-Hill Publishing Co., an outstanding publisher of business and industrial magazines. In this advertisement James H. McGraw, Jr., president of the McGraw-Hill Publishing Co., indicates that to achieve full employment in 1950 we shall need "civilian jobs of between 55 and 57 million persons, with a gross national product of between \$185,000,000,000 and \$200,000,000,000 measured at 1943 price levels."

However, McGraw points out:

Only the most sanguine optimism could lead one to expect that they will be achieved without concerted will, planning, and cooperative effort. . . . If we were to follow past patterns our war-built boom would, after a period of uncertain length, collapse into disastrous depression. . . . A repe-

tion of these things cannot be tolerated—if foresight and cooperative effort can prevent them.

Mr. McGraw then points out that the full-employment bill "may well present a test of whether or not American business can deal with problems in this area in a statesmanlike fashion." He then states that businessmen must come forward with constructive suggestions to remedy whatever deficiencies there may be in the present text of the bill.

Although it is not my intention at this time to discuss Mr. McGraw's views on the present deficiencies of the bill, I am confident that I am voicing the convictions of all the sponsors of the bill when I say that we welcome suggestions for amendment. We do not regard the bill in its present form as perfect. We are earnestly soliciting the criticisms and suggestions of businessmen, small and large, throughout this country, for without the cooperation of business, no practical and effective program for post-war prosperity can possibly be achieved.

Mr. President, I ask unanimous consent that the statement by Mr. McGraw, to which I have referred, may be printed at this point in the RECORD in connection with my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMERICA WANTS PROSPERITY

A book to be published early in April by the McGraw-Hill Book Co. carries the provocative title "Prosperity: We Can Have It If We Want It." Its authors, Messrs. Shields and Woodward, state in vigorously challenging terms their conviction that the United States will emerge from war with human, material, and technological resources adequate to provide a Nation-wide standard of living unprecedented in world history. They present, too, their formulation of the several policies and procedures which must be followed by Government, business, and labor if we are to realize our potential for a high and sustained prosperity unmarred by prolonged periods of severe unemployment and business stagnation such as have haunted our economic past.

The specific proposals set forth will elicit both enthusiastic acclaim and acrid dissent, for the book deals in far from gentle fashion with many of the currently fashionable panaceas for assuring prosperity by magic formula. It examines, and discards as effective guarantors of prosperity, whatever their individual merits upon other grounds, programs for public works, slum clearance, subsidizing of small business, foreign loans, social insurance, deficit Government spending, redistribution of income, the numerous formulas for monetary management, repeal of the antitrust laws, or any of the loosely phrased admonitions that Government should do nothing and allow everything to take its course untrammelled by controls of any kind.

On the positive side, the book urges clear recognition of the fact that prosperity, under a system of business enterprise, depends primarily upon the existence of competitive incentives that spur capital investment to provide better tools and equipment, that improve organization and technology to insure continuously increasing productivity per man-hour of work, and that enlarge markets by producing what the consumer wants at lower prices to the end that real incomes may be increased.

In short, prosperity depends upon profitable and expanding business and employment

opportunity, so it becomes the part of enlightened Government, business, agriculture, and labor policy to promote those measures which will forward rather than retard the major aim of expanding production.

However great the room for dissent upon the adequacy, or the phrasing, of the specific recommendations it makes, the approach of this book has one virtue of solid merit. It attacks positively the problem of what steps should be taken to achieve and hold prosperity rather than merely devising a poultice to be applied when and if we run into a decline.

Virtually all responsible spokesmen for Government, and for business, labor, and agricultural groups, are agreed upon the goal of prosperity. Moreover, they agree that, insofar as possible, it should be achieved through the effort of private enterprise, with government intervention utilized only as a last resort. But despite this unanimity, almost all public discussion of the problem has concentrated upon the nature, the extent, and the timing of such government expenditures as may be found necessary to combat deflation. Since upon this question there is far from general agreement, our procedure has created an exaggerated sense of divergence in a field in which, so far as fundamentals go, we all are in accord to quite an unusual degree.

No confusion should be caused by the fact that the generally current phrase for prosperity is "full employment." The latter phrase merely states the goal in terms of human values, which are good terms in which to state any goal. What matters is that we generally are agreed as to what we mean when we say that we want prosperity or full employment. Not only do we know what we mean, but within very rough limits we can give dimension to our concepts. There are a few whose appraisals are somewhat lower, but most competent estimators set the goals for about 1950 at an average annual employment in civilian jobs of between fifty-five and fifty-seven million persons, with a gross national product of between \$185,000,000,000 and \$200,000,000,000 measured at 1943 price levels. This contrasts with the 1944 level of non-military employed of fifty-one and one-half million, and a gross output for the end of 1944 of over \$200,000,000,000. It assumes a reduction of the average workweek to 40 hours.

It will take some such levels as these to provide employment for those who seek work, with only sufficient frictional unemployment (those temporarily listed as unemployed because of the normal turnover between jobs) to afford reasonable labor-market flexibility to both workers and employers. The non-military employment figures are generally consistent with the officially stated post-war goal of jobs for 60,000,000 workers, since the latter figure is generally understood to be an estimate of the labor force, which includes members of the armed services and an allowance for frictional unemployment.

There are a number of reasons why the estimates cannot be figured more closely, and why no one can be very confident even of the validity of the stated limits. The chief points of doubt in the employment estimates relate to how many withdrawals there are likely to be on the part of women, oldsters, and youngsters, who now are in the labor force to a number more than 6 millions beyond normal expectancy; how many men will be retained in the armed forces; and whether the post-war frictional unemployment should be calculated as approximating the current one million or the three million so listed in the prosperous year of 1929. Additional uncertainties cloud the estimates of gross national product. Notable among them is the fact that no one is sure of the war's effect upon man-hour productivity trends, in view of the fact that half of our current output has consisted of

products that had no substantial counterpart in our peacetime price or production series.

Nevertheless, despite such qualifications, it is fair to say that we do have a general conception of the magnitude of our post-war goals. Although they are well within our production potentials as demonstrated in this war, they are formidably beyond any previous record of peacetime achievement. Only the most sanguine optimism could lead one to expect that they will be achieved without concerted will, planning, and cooperative effort. Only blind recklessness could engender confidence that once attained they will automatically be held, let alone expanded, in normally healthy growth.

If we were to follow past patterns, our war-built boom would, after a period of uncertain length, collapse into disastrous depression. The very magnitude of our recent growth would contribute to the depth and duration of the subsequent trough. Yet a fall even to the level of our previous peacetime-peak year 1939, has been estimated by the Federal Reserve Board to imply unemployment for between fifteen and twenty million persons. If human values have importance, that is something that must not be allowed to occur. If business values have importance, we must not tolerate again such losses as occurred from 1930 to 1933, when sales over the 4-year period were \$128,000,000,000 less than would have been provided if the 1929 level had held, and corporate profits declined from more than \$7,000,000,000 in 1929 to an average annual loss of \$1,000,000,000 over the next 4 years. A repetition of these things cannot be tolerated—if foresight and cooperative effort can prevent them.

In January of this year Senator MURRAY introduced in the Senate a bill entitled "The Full Employment Act of 1945." It instructs the President to submit to Congress plans for eliminating both unemployment and inflation, including recommendations for correcting structural defects in the economic system. It provides for a joint congressional committee to consider the proposals of the President, to take testimony from experts and the general public on these proposals or any others it may wish to consider, and after weighing all the facts to submit its findings to Congress. It provides for an advance budgeting of the constituent parts of a full-employment economy, and commits the Federal Government to provide, in advance, for sufficient expenditures (through private contractor channels) to make up for the gap between estimated private expenditures and the amount necessary to assure full employment.

By no stretch of the imagination can the full-employment bill, in its present form, be regarded as acceptable to business. Yet, it may well present a test of whether or not American business can deal with problems in this area in a statesmanlike fashion. Such statesmanship will consist in demonstrating first, that the bill is not acceptable because of deficiencies which preclude the possibility of its accomplishing the avowed purposes; and second, that business is able and anxious to offer constructive suggestions for remedying these deficiencies.

It is easy to point to weaknesses in the bill. To mention only a few of major importance, the proposal to make advance Federal expenditures to compensate for estimated deficiencies in prospective private expenditures is completely impractical. No one in the country can predict future trends with sufficient accuracy for this purpose; no one can tell what the constituent parts of a really high, stable peacetime budget should be, for in our boom-or-bust economy we have no stable pattern to project; no one can tell, within reasonable limits, how much the Government should spend in advance to assure full employment. The bill pronounces

labor's right to work without defining commensurate responsibilities which it should exercise. It does not define the areas of proposed Government expenditure in such a way as to allay business fears of Government competition or the general public suspicion of leaf raking. Above all, the Murray bill is defective in that, despite a somewhat vague pronouncement in favor of forwarding private business activity, it recommends a single specific designed to supplement such activity rather than stimulate it.

The very definition of certain of these faults suggests their remedies. But the positive task of stating how the bill should be amended in order that it may have effective usefulness is far from simple. Yet it is enormously to the advantage of American business to undertake it. Fortunately, there is a representative group sponsored by industry, the Committee for Economic Development, which has for some time been working intensively upon the problem, and which is excellently equipped to offer sound and progressive advice. It should be used for this purpose.

American business cannot afford to take a negative attitude toward legislation in this field. Some legislation undoubtedly will pass, for the problem is one in which there is a grave Government responsibility. But equally there is a comparably important responsibility upon all citizen groups. None of them has more to gain or lose from the rise or fall of prosperity than American business.

JAMES H. MCGRAW, JR.,
President, McGraw-Hill Publishing Co., Inc.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended;

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; and

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2122) to extend to 6 months after the termination of hostilities the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 106) to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TARVER, Mr. CANNON of Missouri, Mr. SHEPPARD, Mr. WHITTEN, Mr. PLUMLEY, Mr. H. CARL ANDERSEN, and Mr. HORAN were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The question before the Senate is on agreeing to the amendment proposed by the Senator from Texas [Mr. O'DANIEL] as a substitute for the amendment proposed by the Senator from Tennessee [Mr. STEWART] and other Senators to House bill 2625.

Mr. O'DANIEL. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. O'DANIEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Guffey	Murdock
Austin	Hart	Murray
Brewster	Hatch	O'Daniel
Bridges	Hayden	O'Mahoney
Buck	Hickenlooper	Radcliffe
Burton	Hill	Revercomb
Butler	Hoey	Robertson
Byrd	Johnson, Colo.	Russell
Capper	Johnston, S. C.	Shipstead
Chandler	Kilgore	Smith
Chavez	La Follette	Stewart
Cordon	McClellan	Taylor
Donnell	McFarland	Tunnell
Downey	McKellar	Walsh
Eastland	McMahon	White
Ellender	Magnuson	Wiley
Ferguson	Maybank	Wilson
Gerry	Mitchell	Young
Green	Morse	

The PRESIDING OFFICER. Fifty-six Senator having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL] in the nature of a substitute for the amendment offered by the Senator from Tennessee [Mr.

STEWART] on behalf of himself, the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], and the Senator from Colorado [Mr. JOHNSON] to insert a new section at the end of the bill.

Mr. O'DANIEL. Mr. President, I have little further to say with reference to the amendment which I have offered as a substitute for the Stewart amendment, except that in the discussion which has taken place on the floor of the Senate it has been brought out that 2 years ago when we amended this act the Senate adopted the same amendment. Then we were raising our Army and time was an important element. Now we have a large Army and we have more time to use in training the new inductees. There is much more reason now to adopt this amendment than there was on October 25, 1942. We adopted it then, and we should adopt it now. After we adopted this amendment in 1942, it was stricken out in conference. When it was stricken out, the impression was gained by the citizens throughout the Nation that the military authorities would give sufficient training without being bound by law to do so. Now it is brought out that the War Department gave no such assurance or made no promise at that time of any definite length of time of training which would be given to boys 18 or 19 years of age. I would not wish to make the statement that such assurance was given; but it is quite generally believed throughout the country, as indicated by letters which I have received, that the War Department gave some assurance that adequate training would be given the boys before they were placed in actual combat. Now the people have no assurance from either the military authorities or the Congress. They are completely in the dark and I think we should ease their worried minds and hearts by giving them definite assurance that their 18- and 19-year-old boys will be properly trained. I would not want to set myself up as a military authority on the length of time the boys should be trained before being placed in actual combat and I am not the one who selected 12 months as the proper time. Many military experts months ago testified that 12 months should be the minimum. I simply used the period of time the military experts insisted upon when the original 1-year selective-service training period was adopted to make the law of the land. Inasmuch as the people of the Nation are in complete confusion, and some of them believe that the boys are given practically no training before being placed in combat, I think it is imperative that this legislative body take notice of this situation and provide in this bill some limitation, whether it be 12 months, 6 months, 3 months, or 10 days. It is the responsibility of Congress to make the determination. I think it should be 12 months and should apply to both 18- and 19-year-old inductees.

I think the Congress should definitely state that there should be a 12-month period of training for the 18- and 19-year-old boys before they are sent overseas and placed in actual combat.

Two years ago I offered the same amendment, and it was adopted. If there is now any difference of opinion as to the length of the period of training which should be given to these boys, I should like to hear from Senators present if any of them feel that 12 months is too long. I believe that some time should be specified. I should be glad to hear suggestions from Senators. I believe that it is the duty of the Congress, representing the people, to give some sort of assurance to the mothers and fathers of this Nation, who are gladly giving their boys, and who are proud to have their boys go into the service. I believe it is our duty to assure those mothers and fathers that their boys will have some training.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. TAFT. From my study of the matter, I believe that 12 months is too long a time to specify. I do not believe I can vote for the Senator's amendment, because I believe that the basic 17 weeks' training in this country, plus 2 or 3 months' training with a division behind the lines, will today give adequate training. I believe that the period of training ought to be at least 6 months. I really think it ought to be 8 months, but at the present time I feel that it is unnecessary to specify a period of 12 months. Although I have an intense interest in the subject, I cannot vote for the Senator's amendment.

Let me call the Senator's attention to the fact that as late as December 7 Under Secretary Patterson said that in general a minimum of approximately 8 months elapses between an individual's induction and his assignment under the replacement system to an active sector on the front. That statement was made in December. If the Department had stood by that practice, I would have no great objection; but when the period became as short as 5 months between the time of a man's induction and his actual assignment to an active sector on the front; it seemed to me perfectly clear that he had no training except basic training in this country. The men were being assigned to units in actual combat directly from the ships on which they arrived in Europe. I believe that after reaching Europe a man should spend 2 or 3 months in further training with the unit to which he may be assigned before he is sent into combat service, so that he will know his job. That would give him adequate training.

I cannot vote for the Senator's amendment as it is now drafted. I would be willing to vote for a period of 8 months, as the War Department suggested in December; but I believe that 12 months is longer than is really necessary.

Mr. O'DANIEL. The length of time necessary for adequate training is, of course, a matter of opinion. I think we should depend largely upon what the War Department says the length of the training period should be. When the Selective Service Act was passed there was abundant testimony of military experts that 12 months was the minimum length of training inductees should receive. My amendment is based on what the military experts testified was neces-

sary at that time. I understand that in a letter which the Department recently sent to the chairman of the Committee on Military Affairs, it admitted that between 15 and 17 weeks' actual training is now given to each and every inductee. I believe the Congress should decide, based upon the statements of the War Department, what the length of the training period should be. It should be made the law of the land by being placed in this bill at this time. That would relieve the anxiety and heartaches of mothers and fathers. They would have some assurance from their Congress that there was a time limit, instead of being entirely in the dark, without any assurance either from the military or from the Congress.

I believe that the Congress is the department of Government which should make this decision. If any Senator wishes to suggest a modification of the amendment which would change the length of time, I shall be glad to give it consideration. However, I believe that the training period should be 12 months as specified by military experts when we set up the Selective Service Act, and inasmuch as we changed the fundamental law and reduced the age limit from 20 to 18, we should make this amendment apply to both the 18- and 19-year-old boys.

Mr. HILL. Mr. President, I rise at this time to bring to the attention of the Senate a letter from General Marshall, Chief of Staff, addressed to the Senator from Utah [Mr. THOMAS], chairman of the Committee on Military Affairs. The letter is dated April 17, and it reads as follows:

MY DEAR SENATOR THOMAS: My attention has been called to certain amendments which I understand are to be proposed to H. R. 2625—

Of course, Mr. President, that is the pending bill—

One would prohibit the employment of men inducted under 19 years of age in actual combat service until they have been given at least 6 months of military training, and the other would preclude such service of men under 19 years of age until they have been given at least 1 year of training.

I am gravely concerned over the effect of either of these proposals upon military operations. Such statutory restrictions are evidently inspired by the belief that our soldiers are not properly trained before being assigned to combat units. The responsible military authorities, however, are of the opinion that the training is adequate to the requirements.

The training program is very intensive and equally thorough. Furthermore, most of the instructors now concerned with this work are veterans of actual combat experience. Under the present procedure the newly inducted soldier who is being prepared as a replacement for the ground forces undergoes a training course of from 15 to 17 weeks. He is taught how to care for himself in the field; how to employ both his primary and secondary weapons; and how he and his weapons fit into the squad and platoon. Satisfactory completion of the course means that he is qualified for service to which he is to be assigned.

I have personally inspected many replacement training camps to make certain that the work is being conducted in the most efficient manner practicable. General Lear, and now General Stilwell, give their entire

time to the direction and supervision of this work. Lear in Europe and Stilwell here at home.

After the training period is finished the men are placed in experienced units where the leadership from the noncommissioned grades upward in the hands of veterans. En route to assignment overseas the men are given further training in the staging areas here and abroad, and actual assignment in divisions, so far as possible, is made to reserve units where further training is given. Carefully developed training tests, supplemented by combat reports from overseas, have clearly indicated that the proficiency of the soldier is brought to such a level during this period of training that he is fully capable of properly filling a vacancy in a seasoned organization.

The majority of the men now being received from selective service are in the 18- and 19-year-old group, and we are in urgent need of their services. Once an individual under 19 years of age has been fully trained as a replacement, it would be most undesirable under present conditions to hold him unassigned for an additional period of 6 or 7 months. We would, in effect, have to hold thousands upon thousands of men on a waiting list after their essential training had been completed before we could utilize their services.

The War Department has made every possible effort consonant with the military situation to hold to a minimum the number of 18-year-olds entering combat. In February 1944 instructions were issued requiring the use of 18-year-olds with less than 6 months' service only after all other replacement resources were exhausted. During June of that year it was ordered that no Infantry or Armored Force replacements would be sent overseas before they had attained 19 years of age.

Mr. President, I hope Senators will listen carefully to the letter, because there has been a change in our Army and in the situation since last June.

This procedure was only made possible by the assignment of these men to divisions in this country, balanced by heavy drafts—up to 5,000 men—drawn from those divisions to supply the replacements required overseas.

In other words, Mr. President, if I may interpolate at this point, let me say that up until a few months ago we still had in the United States divisions of our Army. After the 18-year-old and 19-year-old men had been trained, we could draw from the divisions men who had been in them for some time and send them overseas as replacements, and then could put the younger men who had just finished their training into the divisions as replacements. But today the situation is that we no longer have any divisions in the United States. They have all gone overseas. They have gone overseas for the reason that we cannot fight the enemy here in the United States. If these divisions were to serve the purpose for which they were organized, to wit, to meet the enemy in combat and to fight the enemy, they had to go overseas where they could get at the enemy.

Mr. AIKEN. Mr. President, will the gentleman yield?

Mr. HILL. I yield.

Mr. AIKEN. I wish to inquire whether all boys are now receiving 17 weeks of basic training in this country before they are sent overseas?

Mr. HILL. My understanding is that all boys inducted are given between 15 and 17 weeks of basic training in this country before they go overseas.

Mr. AIKEN. Then they are given 2 weeks' furlough at home, are they not?

Mr. HILL. They generally receive some furlough at home. The extent of furlough varies, I think. I would not say that all of them receive 2 weeks' furlough.

Mr. AIKEN. And it takes 2 weeks to get them overseas, does it not?

Mr. HILL. I do not know whether that is the case. If they go on a ship such as the *Queen Mary*, the time required to reach abroad is less than that. I understand the *Queen Mary* crosses the ocean in approximately 4½ days.

Mr. President, I ask the Senate to visualize the situation of such young men. They have had their basic training, which lasts from 15 to 17 weeks. They have learned what we call the school of the soldier. They have learned to use their weapons, and they have learned to take care of themselves as individuals. Then they are assigned as members of a team. When they are assigned as members of a team, they go into divisions overseas. There are now no divisions in the United States. They are put in with seasoned and trained veterans, in divisions overseas, and they take their places as members of the team.

Mr. LANGER. Mr. President, does the distinguished Senator from Alabama on his own responsibility say that the boys receive from 15 to 17 weeks of training?

Mr. HILL. That is correct.

Mr. LANGER. I have received letters from parents who advised me that their boys were inducted and were sent overseas in a matter of 2 weeks.

Mr. HILL. Let me say to the Senator that that situation is another one which tends to confuse our thinking. I do not think that any infantryman has been sent overseas in 2 weeks' time. I can visualize a situation in which a man who is a radio expert might be sent overseas almost immediately in case the Army had great need for a radio expert in a certain theater of war. But, so far as any infantryman is concerned, I assert that he receives from 15 to 17 weeks of basic training before being assigned to a division. As the Senator knows, a division is a fighting unit. When men go into battle they go in as a part of a division. Some men who may have been fine engineers may have been needed at some particular place and were assigned without having received much training. But I say that men who are to go into combat as infantrymen receive from 15 to 17 weeks of basic training before being placed in a combat team which, as I have said, is a division.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LUCAS. The Senator is talking about men who are experts in some particular line, and have already been trained before being sent overseas. A radio engineer, or an expert in that line, may not need any extra training. He perhaps already has sufficient knowledge to enable him to impart some of it to members of the armed forces he joins.

On the subject of training, I should like to know if any man has been assigned

to infantry service overseas without having received any basic training. I have heard the statement made over and over again on the floor of the Senate that such has been the case. I have heard that letters have been received by Senators with respect to the matter. I think they should go before the Military Affairs Committee and have General Marshall and other high ranking officers called before them to ascertain the truth of those charges. It is not fair or just to send 18- or 19-year-old boys, or even 30-year-old men, into any combat group without giving them adequate training. It is not fair to men high in the military command if the statements are without authentic foundation. The charge has been made that that has been done, and I wish to see some proof of it. I should like to see the letters about which I have heard so much in the Senate. I should like to see the writers of the letters brought before some committee. If only one boy of any age has been sent into combat without having previously been given the required period of training, the War Department should be severely reprimanded for it by the Congress, and I would join in the reprimand.

Mr. President, I wish to reiterate what I said on the floor of the Senate the other day concerning 18-year-old boys. With respect to the 6 months' period of training, I cannot see how the Senate of the United States can discriminate between a boy who is 18 years old and a man with a family, whether he be 20 years old, 30 years old, or of any other age. If we provide training for one, we must provide training for all. If we provide that 6 months of training shall be given, we cannot take the 18-year-old boy and give him preference over a man who may have five children, for example, ranging from a year to eight, or even more years of age.

Mr. HILL. I agree with the Senator. The man with five children, being much the older, may need more intensive training than the agile and vigorous youngster.

Mr. LUCAS. Will the Senator further yield to me on that point?

Mr. HILL. I yield.

Mr. LUCAS. Today I was in the Supreme Court for the purpose of moving the admission of a colonel in the Army to practice before that high tribunal. He has been training troops at various intervals for the past 3 years. I spoke to him about this subject. He said, "Senator, the boy who is 18 or 19 years old makes a better soldier in 17 weeks or 6 months of training than the man who is 28 or 30 years of age."

Mr. HILL. The Senator knows who makes the best football player or the best baseball player. The older man always needs more training than does the younger man.

Mr. President, I am glad the Senator from Illinois has raised the question. I do not believe that any evidence can be brought forward to show that any man has been placed in an infantry division without having received adequate and proper preparation. No man is placed in combat without—to use the words of General Marshall—"going through a program which is very intensive and equally

thorough. They all go through this program."

I may say to the Senator from Illinois that I can conceive of a situation such as that which existed when Von Runstedt made his drive into the Ardennes and created what is known as the Belgian bulge. I can understand why it was necessary for the commanding officer to throw everything he had into that fight in order to stop the Nazi drive. I can understand that he might have taken a cook, or a man who had not been in an infantry division, such as a man in an aircraft division, for example, put a rifle into his hands, and said to him "You must fight." Perhaps that was the only way the commanding officer had of stopping the Nazis. I think that if he were present on the floor of the Senate, Admiral Hart, who is a former high-ranking officer of the Navy, would say that when he took a ship into battle he had every man on the ship manning a gun.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McCLELLAN. It has been argued that possibly men who were pressed into combat service without first receiving 6 months of training were experts such as engineers, or radio technicians. I doubt whether, among the 18-year-olds, there are any engineers or expert technicians who could be pressed into service. My guess is that practically all of the soldiers 18 years of age were high-school students when they were inducted. I do not think the argument which has been made on that point is very persuasive. If untrained soldiers are not being pressed into active service, there should be no real objection to the provision for 6 months of training. I believe we all know that no boy 18 years of age will become a seasoned and well-trained soldier in such a period of time. He may receive the rudiments of military training in that length of time; he may learn the rudiments in the school of the soldier; but there is more to being trained for combat duty than that. I can appreciate that after a soldier has received his basic training in the school of the soldier it is well to give him training in a division, but that does not mean that the possibility should not be avoided of his obtaining his first training in the battle line.

Mr. HILL. Mr. President, in testifying before the House Committee on Military Affairs General Edwards was asked this question by Representative ELSTON:

Are there any who have been in combat less than 5 months after induction?

He was speaking of the 18-year-old boys.

General Edwards replied:

I do not know. I do not think it is possible for anyone to get in combat in less than 5 months. I do not know of a single case that has come to our attention.

Mr. President, before reading further from General Marshall's letter, allow me to state the practical situation with which we are confronted. After these men have received from 15 to 17 weeks of basic training and are sent overseas, we all know that, so far as they are con-

cerned, their training should be continued as a member of a team. They should be placed in a unit with which they will later go into combat. They should be placed in a division. Yet if we adopt this amendment no man could be put into a division overseas that might be called at any time to go into combat unless it had been made sure that he had been in the service for at least 6 months. Divisions held in reserve which it may not be the intention to use immediately may contain some men with less than 6 months' training who may have been sent in as replacements; but who knows before the sun goes down there may come a call from General Patton or General Hodges or General Simpson or some other commander saying, "I am in distress at such and such a point in the line; I have a counterattack of the enemy to meet; send me more men; I want another division." In such a case it is not possible to stop and comb a division to see whether there is any man in the whole division who has not been in the service for at least 6 months. If it is necessary to stop and comb the division and take such men out, then just as the division goes into battle its efficiency is impaired, the efficiency of the team is impaired.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Illinois.

Mr. LUCAS. This amendment if it were enacted into a law would not give a boy 18 years old who feels that he is fit and wants to fight and do the best he can even an opportunity to volunteer. Many boys 18 years of age are able and eager to do their part. I remember Bill Dudley, who was an all-American quarterback when he was only 18 years old.

The Bill Dudley's of America could not go into combat until they had 6 months training, they could not fire a gun until they had had 6 months' training. That is the situation we are in with respect to this amendment. It would be a serious detriment to the success of an army that was in a dire emergency.

I undertake to say General Marshall and Admiral King have been running the Army and the Navy from the beginning in such a way that they have the entire approval and confidence of the American people. I do not think Members of the Senate of the United States ought to become the military strategists with respect to how these boys should be trained. The most magnificent victories in all the history of the world have been achieved under the leadership of these great men. I undertake to say that no army in the world is better trained. As Anthony Eden said the other day when he was here we have the most powerful military machine on the face of the earth, the most powerful that has ever been formed in all the history of time. Why? Because they are properly trained. Because men here in the United States Congress, before Pearl Harbor and since, have stood up and backed men like George Marshall and Admiral King, who sometimes had to come and plead practically on their knees to get what

they wanted. Had we failed to follow the course they laid down the casualty list would have been much heavier today.

Mr. HILL. Mr. President, one of the most remarkable things about this whole war has been the way our military commanders have won incomparable victories and at the same time held down the death rate or the casualties among our own troops.

As the Senator from Illinois has stated, the reason we have been able to do this is that Congress has been sufficiently wise to recognize that our military men are experts, that they are the ones who know the business of making war, and we have left the making of war in their hands and have stood behind them and backed them up. Napoleon Bonaparte said on one occasion that the crucial moment of a battle was the moment of victory. We stand today on the very threshold of victory; we are at the moment of victory in our battles in Europe, and what we need more than anything else is to keep the momentum going, and keep driving, driving, driving.

Now are we going to pass a law under the terms of which a military commander in Europe will have to stop his drive and undertake to comb and screen all his troops in order to make sure that he is not violating a law the Congress has passed?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. The British have a law, the Australians have a law, and practically all the other nations have laws on the subject except the United States. So I do not think the Senator can claim that the adoption of such an amendment would seriously interfere with the war effort.

Mr. HILL. The British have had such a law from the very beginning; but what are we proposing to do now at the very moment of victory? Just when our forces are driving forward with their greatest possible power of force and speed, what it is proposed now to do is to change the rules of the game, and when that is done there can be but one inevitable result, and that is to slow down the momentum and driving power of our forces. If we had started with such a provision in the law in the beginning, as the British did, the situation might have been different, but it should not be done now; not at this very moment of victory, at this very moment when the quintessence of all our military action is to drive and to continue to drive. This is not the time to stop the commanders and require them to go through their divisions and comb and screen and check them in order to make sure that a law passed by Congress is being complied with.

I shall read further, Mr. President, from the letter of General Marshall. I had read his statement to the effect that previously these replacements had been placed in divisions here in the United States. He goes on to say:

Once all our divisions had left the United States—

And, as we know, they have all gone today—

or were within 3 months of their scheduled departure date this procedure was no longer practicable. The crisis of last December and January caused by the losses sustained in the Ardennes fighting necessitated the shipment of replacements after 15 weeks' training, otherwise our divisions would have been impotent at the moment their full power was needed to crush the enemy's final offensive effort, in preparation for the crossing of the Rhine and the great victories now being gained to the eastward.

This is what General Marshall says. Note this:

Just as soon as the military situation will permit, it is the purpose of the War Department to stop shipping men overseas who have not yet become 19 years of age, and I am hopeful that this condition will develop in the near future.

Mr. President, since the Senate knows General Marshall as a man and as a soldier and a leader, and knows of the victories the Army has won under his leadership, and that in every possible way he has endeavored to save every American life and conserve every American body that he could, it seems to me that we could trust him to do what he states is intended. As soon as the military situation will permit, there will be no more men under 19 years of age sent overseas. General Marshall proceeds:

A steady flow of trained replacements has enabled our armies to continue a course of relentless pressure on all fronts far beyond the anticipation of the enemy. This was made possible only through the unhampered use of men 18 and 19 years of age. If we had been prohibited from employing these men in the required numbers at the necessary time, I am certain that our casualties would have been much heavier, and our armies would have been denied the historic successes they have recently gained.

Mr. President, that is the statement of General Marshall, the Chief of Staff, the commander, the man who perhaps more than any other has been responsible for our magnificent victories, and for the relatively low casualty list. He proceeds:

In my opinion no restrictions should be placed by law on the time when soldiers may enter combat. It is impossible to foresee all of the exigencies which may arise in the waging of war. Carefully laid plans are frequently upset. The administration of the affairs of 8,000,000 men is a tremendous task which prohibitions of this nature, particularly in view of the constant uncertainties involved in waging war, would make almost impossible of efficient management. Should an emergency develop, such as last December, the War Department would in effect be powerless to avert the failure of an operation or a possible disaster.

Does any Senator think that, when we came near having a disaster in the Ardennes, when Von Runstedt made his drive, there was any time to stop then to make certain that no one was in a single division who had not been in the Army at least 6 months? Men who had not been in the Army quite 6 months had been put into those divisions, as they should have been, because it was only in those divisions, as a part of the divisional team that they could carry on and continue the training they had to have for their own good, as well as for

the effectiveness and the striking force of the Army.

General Marshall closes with this final comment:

Finally, I wish to submit this comment. Never before in our history have our men been so thoroughly prepared for their duties and hazards as soldiers. I, personally, and every commander in the field are even more intent on adequate training than any other group, I believe.

General Marshall says that he thinks that he and the other commanders are even more intent on adequate training than any other group, he believes. I think we can understand that statement.

Mr. President, Congress passed the Selective Service Act, to induct these men into the Army, but we ourselves do not give the orders which send them into combat; we do not give the orders knowing that as a result some men will be killed, some will lose their legs and their eyes and their arms, and some will be shattered in body and mind. Certainly no man could have a greater regard or a greater sense of responsibility for the men who go into combat than the commanders of those men, who issued the orders, who direct and lead them into battle.

If there is any one thing about General Marshall which has impressed me in the years I have known him as Chief of Staff it has been his concern, always and at all times, for the individual soldier, his concern to give the American soldier the best possible training, his concern to give to the American soldier the best possible weapons with which to make war, his concern to give to the American soldier the best possible chance for his life and his body, and not to send him into combat except when absolutely necessary and under circumstances which afford him the best possible chance for his life and his body.

General Marshall says:

We are too well aware of the costs of unpreparedness.

He and the other commanders are too well aware of what it means to send men into combat unprepared, not to give them adequate and proper and thorough and intensive training before they go into combat.

Mr. President, there is the commander of the Army, there is the man whom we hold responsible for the doing of this job. I remember after the first battle of the Marne a newspaper man said to Marshal Joffre, "Who won the battle?" His answer was, "I don't know who won the battle, but I know that if the battle had been lost who would have lost it." If, instead of the great victories our armies have won, we had had failures and defeats, George Marshall would have been the man at whom the finger would have been pointed. He is the man with the supreme responsibility, and he has done his job with supreme success.

No man could have thought, no man could have dreamed, that our armed forces would have met the obstacles and the withering fire of the enemy as they have, and won the incomparable victories they have achieved.

General Marshall has spoken for the Army. What about the Navy? We have a letter from the Secretary of the

Navy, Mr. Forrestal, addressed to the senior Senator from Massachusetts [Mr. WALSH], the chairman of the Committee on Naval Affairs, under date of April 19, and this is what he says:

MY DEAR MR. CHAIRMAN: Certain intended amendments to the bill H. R. 2625, proposing to amend the Selective Training and Service Act so as to restrict the utilization of men under 19 years of age in combat service until they have been given specified periods of training, have been called to my attention.

One of these proposed amendments relates to inductees and would prohibit ordering those under 19 years of age into combat service until given at least 6 months of training, and the other would prohibit ordering into combat service men under 19 years of age until given at least 1 year of training.

The effect of the adoption of either of these proposals would be disastrous to the administration of both the training and combat program and practices for the utilization of naval personnel and the conduct of naval operations.

Senators will notice the use of the word "disastrous." Could there be a stronger word, or one which would imply greater ill to come from such amendments than the word "disastrous," used by the Secretary of the Navy? He proceeds:

Only the preliminary training on naval recruits and inductees can be conducted at naval shore training stations. Actual training in these duties must perforce be carried out aboard ships.

These men are going to man and operate and fight on ships, so the Secretary says the real training must be on ships.

Consequently men newly received in the naval service are retained at training stations only sufficiently long to indoctrinate them into naval routine and such preliminary naval instruction as can be given them during the period of adaptation from civilian to naval life and habits. The completion of their training is accomplished by assigning these recruits to ships where they are fitted into crews in the various stages of training and experience so that they can complete their training under actual seagoing conditions and under the supervision of more experienced personnel.

Further, it should be pointed out that large numbers of naval personnel have been and are being received in the Navy by enlistment under the induction age.

As we know, many men under 17 years of age are, with their parents' consent, volunteering to go into the Navy. The Secretary continues:

These men enlist in the Navy, with their parents' consent, because they wish to fight.

In many cases it is true that new men do not see actual combat service for periods greater than either of those established in the proposed amendments. However, it would be utterly impossible to fit a program of restricted assignment into the necessary program of commissioning and manning new construction or of making replacements in operating ships of the Navy with the mandatory limitations in the two proposed amendments. To place statutory restrictions upon the utilization of naval personnel would impose such burdens upon the planning and operating forces of the Navy as to materially interfere with the present efficient prosecution of the war.

At the present time, in view of the manpower situation, every effort is being made to maintain the personnel of the Navy within the limits of its authorized strength. Re-

cruits are principally for the purpose of taking care of attrition, and in cooperation with the Army, virtually all of the approximately 25,000 men per month being taken into the Navy are from the 17-year-age group. The Navy has reached that stage of the war where it has adequate ships to enable it to train men at sea. To be obliged to retain these men for the proposed specified periods at training stations ashore would require an expansion of facilities which are now being curtailed, an increase in the authorized strength—

That means more men to be drafted—and in the retention of men in an ineffectual training status ashore.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. From a reading of mail which comes to our offices the impression sometimes seems to prevail that large numbers of men who are freshly inducted are thrown into battle before they have 6 months' training. I am wondering whether in the testimony taken before the Committee on Military Affairs there were any figures available as to the number of freshly inducted men with less than 6 months' training who had gone into action.

Mr. HILL. I will state to my distinguished friend that it has been difficult, as he can well imagine, to obtain such figures, but the chairman of the Committee on Military Affairs, the Senator from Utah [Mr. THOMAS], asked that question of the War Department. The War Department advises the Senator from Utah that on the basis of the best estimates it can obtain, in 1944 and in 1945 at the very maximum, not more than 10,000 men in the 18-year-age group were sent into combat without having completed at least 6 months' military service in the United States.

Mr. TYDINGS. I think it is also true that as to the 10,000 men who had received perhaps less than 6 months' training before they were put into battle zones, it is the policy of the Army and Navy to put them with seasoned troops in relatively small numbers, because a green man who has had 5 months' training, when associated with men, 99 percent of whom have had battle experience, is really in better hands than if he were a member of a wholly green regiment which has had a year of training but which has never had any battle experience whatsoever.

Mr. HILL. The Senator is exactly right. The practice is to put these men in with trained and seasoned combat veterans, and the Senator from Maryland, as a distinguished soldier of the last war, I think will agree with me when I say that I would rather see a son of mine, who perhaps had not received quite the 6 months' training, go into combat as one individual with a great number of trained and seasoned veterans than have him receive more than 6 months' training and go into combat with a lot of other men who were not seasoned and were not trained and had not had combat experience.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CORDON. The question which occurs to me Mr. President, is whether there is any reason why men who have had more than 6 months' training would have to be sent in as groups rather than in turn be, as it were, sandwiched in with other men who have had battle experience? Could not the Army, after giving 6 months' training, still spread the group among trained divisions?

Mr. HILL. The Army might do that; but the Senator must bear in mind that when an army is in combat and fighting a stubborn and fierce foe, such as we are fighting in both wars, and there is a division composed largely of trained veterans, the commanding general can never know just when he may have to use that division. The division must be ready and available, if need be, to move into a combat zone at any time.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I think the argument that strictly 18-year-olds should not be placed in combat without 6 months' thorough training appeals to every man, and we would all like that to be done. I certainly would. But I think sometimes there occurs a situation such as this: Let us suppose that a recruit has had what may be called his preliminary training and is assigned in the nature of a replacement to a division in the rear area where the majority of men, almost the overwhelming majority, are seasoned troops; let us suppose that a break such as the Ardennes break, or a drive over the Rhine, or what not, suddenly requires the employment of a division with some men in it of the kind I have described, and that the employment of that division was not anticipated at the time the action commenced. It certainly would not be feasible in the situation I have described, which I am sure happens quite often, to send with the battle orders the instruction, "Before you move make sure to comb out all the 18-year-old boys who have not had 6 months' training."

I think the important thing for us to know is that the Army and the Navy are giving the men 6 months' training with the expectation that they probably will not be employed until they have had the 6 months' training, rather than to draw a hard and fast line.

I was particularly impressed with the argument made by the Senator from Alabama about the Navy, which was an angle that had not occurred to me, that after a man has completed his boot training, which normally we will say takes 90 days, he is assigned to a ship. Probably less than 1 percent of the men on the ship to which he is assigned have had less than 6 months' training. As the campaign opens, that ship may be in San Francisco, but because of the loss of other ships, or a change in plans, it may not be feasible to let the ship remain there.

I like the idea of 6 months' preliminary training as a policy. I would be reluctant to do anything which would appear to be opposed to that policy. However, as this debate unfolds I can see a great deal of difficulty about approaching it from the standpoint of lawmaking. I

am wondering whether or not, in the absence of a requirement of law, it might be possible to have the Chief of Staff of the Army and the Chief of Naval Operations of the Navy issue a general order carrying out the policy which the authors of the amendment have in mind, rather than for us possibly to embarrass the future success of some operation by trying to encompass it by lawmaking.

Mr. HILL. Let me say to the distinguished Senator that General Marshall, in the letter which I have just read, has endeavored, in the strongest possible language, to assure us that all these men have adequate and proper training. As he says, the training program is very intensive and thorough, and the policy is not to use the men until they have had 6 months' training, and when they are used, to see that they have had proper training. He makes this further statement:

Just as soon as the military situation will permit, it is the purpose of the War Department to stop shipping men overseas who have not yet become 19 years of age; and I am hopeful that this condition will develop in the near future.

Mr. TYDINGS. What is the date of the letter?

Mr. HILL. April 17.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CORDON. Was not assurance given Congress, at least informally, by the head of the Army at the time the draft age was reduced, that those young men would not be sent into action until after they had had at least a year's training?

Mr. HILL. No, Mr. President. That idea has gone abroad, and I am glad that the Senator has called attention to it.

Mr. CORDON. I wish to know what are the facts.

Mr. HILL. In a letter under date of October 23, 1942, addressed to the then chairman of the Senate Committee on Military Affairs, Hon. Robert R. Reynolds, when this question was before the Senate for consideration, General Marshall made this statement:

I could give you many other examples where it would be unnecessary and undesirable to hold a man out of a combat theater for 12 months. It would be almost impossible for the Army to operate under such mandate. We would in effect have to put thousands upon thousands of men on the shelf after their essential training had been completed before we could use them. In the Air Corps alone possibly 500,000 such men would be involved. Incidentally, the Navy and the Marine Corps enlist men of 17, and I am told that the average age of the entire corps is below 20.

There was no such assurance. On the contrary, General Marshall made a categorical statement to the very opposite effect.

Mr. CORDON. Did he not also, however, give some assurance along that line?

Mr. HILL. I will tell the Senator where the idea of the 1 year's training came from. It arose in this way. The evidence shows that at least a year is required to train a division. It must be

remembered that when we first mobilized our Army we started organizing and mobilizing divisions. That meant that the men who were called into divisions would be at least a year in divisional training. The truth is that most of our divisions have had far more than a year's training in the United States before going overseas. The One Hundred and Sixth Division, which caught so much of the force of Von Runstedt's drive, had had 17 months' training in the United States before it went overseas. That is the way in which the idea of 1 year's training arose. A minimum of a year was required to train a division, but not to train an individual.

Mr. CORDON. What assurance or re-assurance was given to Congress at that time with reference to what would be the policy with respect to boys 18 years of age?

Mr. HILL. The assurance then given to the Congress was that such boys would be thoroughly and adequately trained before being sent into combat.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I think perhaps I can answer the Senator's question. The Senate adopted an amendment providing that no boy should be sent into combat before he was 19. It went to conference, and when the conference report was submitted to the Senate the statement was made on the floor by the conferees that the amendment was eliminated in conference because the complicated administration necessarily involved in the handling of large numbers of men by the Army made it important not to impose any express limitations. I believe that is stated in a letter from the President, which was published in the RECORD of October 23, 1942.

The Senator from South Dakota [Mr. GURNEY] was in charge of the bill at the time. I asked him whether any assurance had been received from the Army that proper training would be given. The Senator from South Dakota stated that assurances had been received that the inductees would receive every bit of training that it was necessary for them to have before being sent into combat service, and that "the very great majority of those who go into front line combat will have 12 months' training, as they have had in the past."

Furthermore, on June 7, 1944, less than a year ago, Lieutenant General McNarney stated to the Senate Committee on Military Affairs that there was an order that no young man under 19 years of age assigned to the Infantry should be sent overseas. That order was subsequently extended to include other men.

So while perhaps there has been no promise, nevertheless, it was the declared policy of the administration, and the conference report was adopted largely with the knowledge that that was the declared policy of the administration.

Mr. HILL. Mr. President, when the distinguished Senator from South Dakota stated, back in 1942, that the average man would have a year's training, he was exactly correct, because, as I say, at that time we were still forming our

divisions, and men who were being inducted were assigned to form new divisions. The minimum training period for a division here at home was a year. General Marshall himself called attention to the fact that the Army until military necessity required otherwise, did not send any men overseas until they had attained the age of 19 years. But he said that when military necessity required a change, the Army had been forced to change the policy, and had done so. In the letter from which I have read, he states that as soon as the military situation will permit, he will go back to the policy of not sending overseas any men who are under the age of 19.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I wish to suggest that that is the reason why statements by the War Department mean nothing on this question, because the department reserves the right to change its policy at any time it wishes to change it, and the Department is the only agency which can possibly be the judge of military conditions.

Mr. HILL. Not only does it reserve the right to change the policy, but I maintain that it ought to have the right to change it. I maintain that the responsibility for the conduct of our troops in the field in combat against the enemy is the responsibility of the War Department and its field commanders. They must be able to meet situations as they arise.

Mr. TAFT. Then it seems to me that the Senator's argument would justify the department in drafting boys 17 years of age if they were needed.

Mr. HILL. No.

Mr. TAFT. We have said when a man may be inducted. Surely we may say when he may go into active service, without interfering with any military discretion in the conduct of the American Army.

Mr. HILL. The War Department has no authority to issue regulations with respect to the ages at which men shall be drafted. Only Congress can enact a law to draft a man; but after he is drafted, inducted into the service, and turned over to the Army, then it is the business of the Army to train him and make the best possible use of him in order to bring this war to the speediest possible conclusion.

The Members of the Senate or of the House of Representatives cannot attempt to run the Army or say how the Army shall be organized or what shall be done about the administration or organization or the fighting of the Army. That must be done by the War Department and its field commanders.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I do not agree at all. I see no reason why we should not say that no man should go abroad until he is 18 years and 6 months old. It seems to me that is entirely a matter for the Congress, and that it would be no interference with the actual operation of the Army. I wish to point out that as late as December 7, 1944, Under Secretary of

War Patterson made a statement in which he finally admitted that the practice had been changed, but that no notice had been given to the public. On December 7, 1944, he finally said:

This change in the replacement system has brought no relaxation in the thoroughness of preparatory combat training. In general a minimum of approximately 8 months elapses between an individual's induction and his assignment under the replacement system to an active sector of the front.

I say that the present evidence shows that in December, January, and February it was not an exceptional case, but it was the regular rule, that men were inducted and sent abroad in less than 5 months, and in many cases were wounded and killed in approximately 5 months from the time when they were inducted. That is not in accord with the War Department's own policy. If the War Department cannot be trusted to conform to its own policy it seems to me we can properly enact a requirement which will make the War Department conform to its own policy.

Mr. HILL. Mr. President, I take sharp issue with the statement of the Senator from Ohio that it was a rule to send the men into combat with only 5 months of training or with less than 5 months of training. According to the evidence which we have from the War Department, of all the millions of men who were sent overseas last year and up to now in the present year, only an estimated 10,000 men had to go into combat at a time when they had not received 6 months of training in the Army. Most of those men went into combat because of the unusual situation which confronted our military authorities. For instance, there was the need to stop von Runstedt, the need to keep him from reaching Antwerp and thus perhaps prolonging the war 2 or 3 or no telling how many years longer, during which thousands of our men would be killed. In the second place, some of those men may have gone into combat because of the magnificent successes which our armies have achieved and which have enabled them to move forward so rapidly. They have moved forward with astounding speed, through the Siegfried Line, across the Rhine River, and into Germany, and today they stand at the very gates of Berlin itself. We have not been able to hold back those divisions long enough to enable their commanders to stop and see whether every man in a division of perhaps 15,000 or 20,000 men has had at least 6 months of training. Those men received their basic training. According to General Marshall, they had been thoroughly and adequately trained when they were put in, side by side, with the veterans, those who knew combat, those who knew how to handle themselves in combat. The younger men were put into the team with them.

Mr. LANGER and Mr. KILGORE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield, and if so, to whom?

Mr. HILL. I yield first to the distinguished senior Senator from North Dakota.

Mr. LANGER. Mr. President, I am sorry that the distinguished senior Senator from Illinois [Mr. Lucas] is not now on the floor of the Senate. An hour or so ago I stated that I had received from North Dakota a letter stating that a boy had been sent overseas in a comparatively short time, namely, less than 4 months. The Senator from Illinois challenged me to produce the letter. He said he had heard a great deal about such letters but none had been produced. I wish to read the letter. It is from Mrs. M. N. Kringlie, of Portland, N. Dak. I took up her letter with the War Department. I hold in my hand a letter which I have received from Brig. Gen. Robert H. Dunlop, acting for The Adjutant General. His letter was written in Washington on March 23, 1945. It absolutely substantiates everything said a few minutes ago by the distinguished senior Senator from Ohio [Mr. TAFT], when he said that last fall the Army was using men who had received only 4 or 5 months of training.

I now read the letter I have received from Brigadier General Dunlop:

MARCH 23, 1945.

DEAR SENATOR LANGER: I again refer to your letter of March 9, 1945, with which you enclosed a letter from Mrs. M. N. Kringlie, Portland, N. Dak., concerning the training of her son, Pvt. Lyle S. Kringlie, before being sent overseas.

The length of the replacement-training period was originally 13 weeks.

The training period was not 5 months, as was stated in a letter written to the distinguished Senator from Ohio, but it was 13 weeks.

I read further:

As the war progressed, however, we found it possible to meet our needs for replacements and at the same time increase this training period to 17 weeks. This schedule was followed until very recently, when the increased tempo of our operations overseas resulted in the demand for replacements from overseas commanders becoming so urgent as to require the reduction of the training period to 15 weeks.

So we have a letter of the kind the distinguished senior Senator from Illinois was so anxious to see an hour or so ago.

Mr. President, I ask unanimous consent that the entire letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, March 23, 1945.

HON. WILLIAM LANGER,
United States Senate.

DEAR SENATOR LANGER: I again refer to your letter of March 9, 1945, with which you enclosed a letter from Mrs. M. N. Kringlie, Portland, N. Dak., concerning the training of her son, Pvt. Lyle S. Kringlie, before being sent overseas.

The length of the replacement training period was originally 13 weeks. As the war progressed, however, we found it possible to meet our needs for replacements and at the same time increase this training period to 17 weeks. This schedule was followed until very recently, when the increased tempo of our operations overseas resulted in the demand for replacements from overseas commanders becoming so urgent as to require

the reduction of the training period to 15 weeks.

This reduction in the training period represents no departure from our well-defined policy that soldiers will not be committed to combat until they are adequately trained for their anticipated duties. Battle experience, as well as the results of the most adequate tests that we have been able to devise, demonstrates conclusively that the average soldier in 13 to 17 weeks can be brought to a training level that permits him to fill a vacancy in a trained team. An individual replacement joins a trained organization and thus works side by side with experienced men. Under such conditions the replacement performs acceptably well from the outset and, following the lead and being guided by the advice of the more experienced men in his unit, quickly fits himself into the operations of the unit as a team.

There are many factors that affect the length of time that a soldier may stay in the United States before he is sent overseas. Some types of training requires more time than others; experienced men have to be used as a nucleus for new organizations and many other men are not physically qualified for overseas service but are able to perform necessary tasks in this country. Also, some individuals are sent overseas as replacements for organizations already there. Since a soldier is fully qualified for overseas assignment of this kind immediately upon completion of his basic training, some may be sent overseas for this purpose after a comparatively short period of service in this country.

In other instances, soldiers, after their basic training, are assigned to a unit in the United States which is receiving its team training. In the case of a large unit, involving the combined use of all arms, a year or more is usually required to weld it into an effective combat organization. Obviously, therefore, those soldiers who are assigned to units in team training in this country will normally remain in the United States considerably longer than those who were selected to be sent overseas as replacements. Both, however, are fully trained for their anticipated duties.

All men sent outside the continental limits of the United States are given a physical examination prior to their departure, and each man must be physically qualified for the duties he is to perform.

Mrs. Kringlie may be assured that every care will be taken to safeguard the health of her son while he is in the military service and that he will not be assigned to any duties which he is not qualified to perform.

With kindest regards,
Sincerely yours,

ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

Mr. HILL. Mr. President, am I to understand that the writer of the letter said that the training period was 13 weeks?

Mr. LANGER. That statement appears in the letter.

Mr. HILL. I understand that General Marshall said the training period is from 15 to 17 weeks.

Mr. LANGER. How does that compare with what was said a few moments ago?

Mr. HILL. It may be that that particular man had 15 weeks of training. There is no conflict between that letter and what General Marshall himself has said.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. Here is the case of a boy who was fatally wounded 5 months and

5 days after he was inducted into the Army. He is a boy I knew. I know his parents in Cincinnati. He was not the boy to whom I referred several months ago, who was a close neighbor of mine, and who was killed approximately 5 months and 10 days after he was inducted. But the one to whom I now refer was a boy from Cincinnati, Frederick Toe Water, a little boy who was a friend of my son's, a boy who was rather immature. He was inducted into the Army. He received 15 weeks of training. He was inducted on September 4. He landed in France on January 30. He was immediately sent to the front, in Luxemburg. He arrived there on February 4. He arrived alone. He knew no one in his company. Two days after he arrived, they attacked across the river in Luxemburg. He happened to have been given one of the newest guns. The older men in the company liked his gun better than theirs, so they took his gun away from him and gave him one of the older ones. He was out in front, in a fox hole. His company had to retreat from the river, and he was finally left behind. He was the last man out and he was wounded as he came out. He was taken to a hospital and he died 3 weeks from that time.

I say that boy had no chance. He had no job in the company; he was of no value to the company in connection with the attack in that particular sector or in connection with any defense which might have been put up. My point is that he was of no real value to the Army. The Senate was very doubtful whether we should draft boys 18 years of age. The medical testimony was to the effect that many boys 18 years of age are fully matured and are the best fighters in the world, but that many others are not mature. We finally decided to draft the boys 18 years of age; but certainly if we do draft them, they are entitled to have a chance, and once they go abroad they are entitled to find out what their jobs are and to make friends with the other soldiers in their companies, so that when they finally fight they will fight among friends, and will not be neglected.

I hold in my hand correspondence relating to the case of Paul V. Bidwell, of Bethlehem, Pa. He enlisted on August 24, and was killed 5 months and 9 days after he enlisted. It was the regular practice in those months, after the boys had 15 weeks of training, to send them to Fort Meade, where they stayed for 2 days, and then send them abroad. They landed in France, and they were at the front within 3 or 4 days thereafter.

I say that policy was a mistaken one, and that the commanders of those companies would have been better off if they had not had such men. Certainly it is utterly unjust and unfair to such young men to put them into combat service under those conditions.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LANGER. Mr. President, if the Senator will yield, I invite attention to the fact that the distinguished Senator from Ohio is mistaken when he says the period of training is 15 weeks; it is 13 weeks.

Mr. TAFT. It was reduced from 17 weeks to 15 weeks. I have heard that it has now been reduced in some cases to 13 weeks.

Mr. O'DANIEL. Mr. President, in line with the subject which is being discussed, I wish to quote from a letter which I had placed in the RECORD on April 20. The letter was written by Bertha E. Kinser and reads, in part, as follows:

AUSTIN, TEX., March 31, 1945.

DEAR FRIEND: Received your letter of March 21. It was indeed nice of you to express to us your sympathy in the loss of our only child, our little 18-year-old son, John D. Kinser. Bless his heart; he lived a beautiful life. He only had 3 months and 10 days' training before being sent overseas for combat. He left P. O. E. around January 18 or 20, and was killed February 20.

The letter bears out the statements which have been made to the effect that men are being placed in actual combat, and killed, within a short time after their induction.

Mr. CHANDLER. Mr. President, every Senator and every person in this country has been deeply concerned over the policy of the Army with respect to 18-year-olds. During the debate which took place in the Senate a few days ago the Senator from West Virginia [Mr. REVERCOMB] made an observation which I think was entirely correct. Some of our allies refused to send out of their respective countries men of only 18 and 19 years of age. It seems to me that it is now becoming apparent, not only to Senators, but to all the people of the country, just how great has been the contribution of the United States to the success of the prosecution of the war in Europe.

Mr. President, the Army justifies its conduct in putting young men into active military combat by saying that it is sometimes necessary to use such men in order to maintain pressure upon the enemy. God knows that if that had not been done at times the military situation might now be different. Not one of our allies could have kept any considerable amount of pressure upon the enemy. Our allies either did not have the men, or they were located at places other than at the front. Furthermore, they were too weak in strength and too few in numbers to conduct alone the successful fight which is about to be cumulated in the taking of Berlin and the virtual breaking of organized resistance in Europe. I think when we undertook the job of furnishing men and supplies to help wage war, we committed ourselves to a tremendous task. When the American people ascertain just what contribution they have made to the war effort they will be amazed. Two or three months ago Mr. Churchill stated the proportion of British soldiers to the American soldiers who were being used in the war in Europe. It is no wonder that the casualties on the Western front have been from 60 to 70 Americans to 1 British or Canadian. When the complete story is told the proportion will probably be 100 to 1.

All of us know that soldiers who do not receive an adequate period of training suffer greater casualties than those who

have been well trained. We have suffered a great number of casualties. I have said that we suffer them in part because of not having been prepared for the war. We were not ready for it. Many of us refused to recognize that the war was coming. When it finally arrived we had to start from scratch and develop our armies. I have the greatest sympathy for the men whose responsibility it was to develop the Army, train it, and make it ready and fit for waging war.

Mr. TAFT. Mr. President, will the Senator yield in order that I may be permitted to comment upon his statement?

Mr. CHANDLER. I yield.

Mr. TAFT. I do not think it was necessary, even under the circumstances then existing, to take boys into the service who were as young as some of those who were taken. I wish to read from a letter of Secretary Stimson under date of March 30, 1945, written to Hon. GEORGE MAHON of the House of Representatives:

According to February figures, there were approximately 8,050,000 men in the Army, 5,150,000 of whom were overseas. Of the 2,900,000 on duty in the United States, almost half (roughly 1,400,000) have already been marked for overseas duty and are being trained accordingly either in tactical units or as individual replacements and students in replacement training centers, training regiments and schools; 180,000 others were in Army hospitals.

Yet, we take boys who have had almost no training who, in 5 months would have numbered approximately 300,000 or 400,000 men, and 400,000 of the 1,400,000 referred to in the letter are not being sent abroad.

Mr. HILL. Mr. President, we know that the War Department did everything it could in order to build an Army without taking the younger men. In testifying before the House committee on this bill General Edwards said:

We have a program of retraining. When we became so short of replacements last fall, the entire Army in the United States—

"The entire Army in the United States," I repeat to the Senator from Ohio, which means the 1,400,000 men—and overseas—

That means the Army overseas—

for that matter, was combed to get general servicemen who were in some other branch who were physically able to be used as combat replacements. We combed the Air Forces. We took 65,000 out of the Air Forces. We took 40,000 men out of the antiaircraft. We took a total of 200,000 men out of the other branches to retrain as infantrymen, because that was what we needed at that time.

In other words, in order to provide replacements the War Department started to squeeze as many as possible out of the other branches and put them into the infantry and into combat teams. That process was followed both in the United States and overseas in order to get out of other branches as many men as possible who were qualified to go into combat, and particularly into infantry units overseas.

Mr. TAFT. Mr. President, there is nothing in the Senator's statement which is inconsistent with the statement which I made. My point is that altogether there are 2,900,000 men on duty in the

United States. Of those the Secretary of War has said 1,365,000 are in essential service of supplies jobs. They are being used as rapidly as it is possible to replace them by other men. But in addition to the men in the service of supplies there are 1,400,000 who have been accepted and trained for foreign service. In addition to them, every available man has been combed from the service of supplies.

Mr. HILL. The 1,400,000 men to which the Senator referred evidently include many of the very younger men.

Mr. TAFT. Yes; but they could not include more than 400,000.

Mr. HILL. The testimony which was given before the House committee shows that the War Department did everything it could do in order to get every available man needed for service in the infantry divisions and the combat units on the front line before bringing in the younger replacements.

Mr. TAFT. Mr. President, I wish to point out that at the very most there are approximately only 80,000 of these young men. So if we had a 6 months' supply of them there would be only approximately 480,000. The others have been drafted, have enlisted in the Navy, or have been inducted into other branches of the military service. So that of the 1,400,000 there should not be, I should judge, more than 400,000 of the younger men who have been trained less than 6 months.

Mr. CHANDLER. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. CHANDLER. If the Senator from Ohio will look at the RECORD of last Thursday, during the debate on the pending bill he will find that I put the figures into the RECORD, because I wanted to show that our commitments to overseas service had been 5,150,000 soldiers, who, according to the report of the Secretary of War, were overseas in February, out of a total of 8,050,000, and as I understood, of the 2,900,000 left in this country in February about 1,500,000 were earmarked for overseas duty and were going to be sent as soon as replacements could be obtained for them here.

Mr. TAFT. No; not replacements for them here, but they could be sent as soon as they were trained.

Mr. CHANDLER. Some of the 1,365,000 left in essential service here might be sent if the military authorities keep their declared intention; indeed sooner or later all are going to see overseas service in the Army at some time or other when other soldiers can be brought back from overseas. I wanted the Senate to know the tremendous force we had committed to this battle.

The Senator from Alabama will remember that the Secretary of War and the Chief of Staff undertook to justify it on the theory that it was necessary to keep pressure on the enemy, whereas it used to be the rule to fight a division for a while and then take it out of the combat line and substitute another division. I cannot tell whether that is right or wrong, but it has contributed to the achievement of victory. Instead of taking a division out of the line, they have infiltrated young men, some of

whom have not had the maximum amount of training, and kept the division going. As it suffered losses new men were placed in the line and the division continued to keep the pressure on. In doing that we have lost some men, but in the long run lives may have been saved.

What burns me up is the great commitment in men we have made over there, so far beyond the number ever conceived or imagined by the American people. It might have been necessary, it might have been impossible to achieve victory without it; but certainly no American Senator and no citizen of the country has to apologize for the magnificent contribution that young American manhood has made to the great victory which is about to be achieved.

Mr. HILL. The Senator, as he speaks of the great victory which is about to be achieved, knows well that the reason we are on the eve of this great victory is that we have kept the pressure on the enemy; we have continued to drive and drive and drive. If we had ever stopped that driving and given the enemy a chance to catch his breath and dig in, the chance to construct new fortifications on new and perhaps more advantageous terrain, we might have been much further from victory than we are today, and that would have meant the cost perhaps of thousands of American lives.

Mr. CHANDLER. Certainly we were the only ones who could keep pressure on the enemy. Does anyone know of an army belonging to any other country that could have kept pressure on the enemy as we have kept it? I say that when the whole thing is looked at from the standpoint of history, it may be that we may have contributed more than we were expected to contribute by the American people, but certainly whatever we have contributed has been decisive.

Now we have reached the stage where organized resistance is about to be finished in Germany, and, according to the information I get from the military authorities, we are not going to be able, unless something happens I do not know about, to use against the Japanese more than half of our divisional strength. The war against the Japanese is going to be principally a naval battle. We have some 3,200,000 men in the Navy of the United States. It is a magnificent Navy. It is probably the greatest accumulation of fighting ships and fighting men that any other country or combination of countries ever got together in all the history of time.

I know that no Senator and no citizen of the country wants to continue sending young men into combat who are not sufficiently trained. That is a tragic thing. It may be because of our original unpreparedness, and I think it is. Somebody said the other day, "Suppose the Senate adopted the amendment, I think probably it would not be hurtful now, because whatever may be done if a commander has the soldiers and is faced with an emergency he will use them." In the Navy men are trained on the ships; they are placed on ships, and, if the ship is fired on, the captain of the ship will fire

back, and he will use the men on the ship whether they have had 2 days' training or 6 days' training or 6 months' training or more.

But it would not be hard for the Senate to advise the Chief of Staff of the attitude of the people of the country. I know Senators have received letters from fathers and mothers, as no doubt the Chief of Staff has received letters from them. They feel that if this is a necessary contribution, well and good, but it ought not to be continued unless the military situation is, as the Senator from Michigan said the other day, an extraordinary one. I do not know about the words "extraordinary" and "unusual." They may mean just more of the same; I do not know whether they mean anything; but certainly if I were the commander of a division on the western front and I had in my outfit men 18 years old, not fully trained or adequately trained, in an emergency I would have to use them, as in the case of the One Hundred and Sixth Division that went into a so-called quiet sector and was suddenly overwhelmed. We cannot pass a law to keep naval and military commanders from using soldiers and sailors if they have them and have to use them.

Mr. BURTON. Mr. President—

Mr. HILL. I yield to the Senator from Ohio.

Mr. BURTON. I wish to express my appreciation of the presentation that the Senator from Alabama has been making of the fundamental arguments involved in connection with the pending bill. It was considered in the Committee on Military Affairs, and, as I recall, the fundamental argument which impressed me there—and I wish to press further the question to the Senator—was this: Realizing the full necessity of giving these young men the best possible training, and adequate training for the respective jobs they will have to do, the question is, Would an act of Congress contribute to the clarifying of that policy, or would an act of Congress really handicap the policy? I wish to ask, suppose this amendment were adopted that a man should be given 6 months' military training; would it be possible for Congress in any way to assure that the kind of military training received would be of benefit to him under the circumstances he would finally face?

Mr. HILL. The Senator is absolutely correct about that. When General Marshall says that all these men have been adequately and properly prepared, I am sure he is speaking the truth. As the Senator from Ohio knows, and every other Senator knows, in the Army there are all types of men, just as there are in civilian life. One man with 5 months' training might make a far better soldier than another man who had had 12 months' training. All the Army can do is to put them through what they consider to be and what they find to be an adequate and thorough course of training. I do not know but that some men who have been in the Army less than 6 months have been killed, but that does not mean that they were not properly trained and it does not necessarily mean

that if they had 12 months' training they would not have been killed or that if they had had 12 months' training they would have been efficient, capable soldiers. There are some men, perhaps, who never make real top A-1 soldiers, some men who, because of their physical and mental make-up, never reach that degree of proficiency which it is desirable that every soldier should reach. But I wish to insist on this floor, and I want the country to know, that General Marshall and the War Department have not sent men into battle who had not had a thorough and intensive and an adequate course of training.

Mr. BURTON. Is it not also true, I ask the Senator from Alabama, that, even though the training be extended for many months, that is no guarantee that a man will not be hit by a bullet?

Mr. HILL. The Senator knows that officers have gone to Europe as observers who were there hardly 48 hours before they were moved up to the front line and were hit and perhaps killed.

The Senator knows furthermore that in this day of modern warfare, when bomber and fighting planes with machine guns, and heavy artillery, and rocket bombs are used, there is no longer any little area which can be denominated as a combat area. Many square miles of territory, wherever soldiers are today on the other side of the Atlantic, may well be combat areas.

Mr. BURTON. As I understand it, the Senator's argument is that even though we adopt an amendment—it has to be a short amendment, a general amendment—when we have enacted it, requiring 6 months' military training or a year's military training, we have not required what is really needed, because we cannot go into detail to make sure that a man gets the kind of training he needs to fit him to go into combat service.

Similarly, we use the general term "combat" to describe what the man be kept out of. A man gets a bronze star if he is in a combat zone, so that he is likely to be in "combat," in a broad sense even though far from the front line. The only way the Army could be sure to comply with our amendment would be to keep all new men out of zones where it is not at all important that they have combat training or front-line training. It would mean a waste of manpower.

"Combat zone" is much broader than "front line." So that even though we do the best we can in the Halls of Congress to provide for the war we cannot manage the front line and we are likely to interfere with it rather than help it.

It seems to me the proposed legislation would be futile because it could not guarantee the right kind of training. Furthermore, it would keep men out of many zones where they should be.

Mr. HILL. I thank the Senator from Ohio for his contribution. He is exactly correct. There is no way for the Senate by an amendment to do that which we all desire, to wit, to make sure that every man who goes into combat has had training sufficient to make him a proficient soldier, so to speak. On the other hand, by adopting such an amendment we can greatly harass, impede, and impair the operation of our armies and of

our armed forces. We can put a terrible burden upon them. We can even take a chance here of slowing up the momentum with which our forces are driving today, and if we do that we may well postpone the day of victory, and cost thousands of American lives.

Mr. BURTON. We might sacrifice more lives than we could possibly save by any amendment we might adopt.

Mr. HILL. I will say to the Senator that, so far as my opinion is concerned, we would not save many lives by adding such an amendment, but we might invite the sacrifice of thousands of lives.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MAYBANK. In connection with a letter read by the Senator from Ohio, does the figure 1,400,000 as the number of troops in this country, include the troops on unlimited service, on leaves of absence, or those returned from war zones because of having completed their tours, or because of having been sent back to rest?

Mr. HILL. I have not recently seen a break-down of those figures, but I am quite certain that they do include many men to whom the Senator from South Carolina has referred.

Mr. MAYBANK. The Senator will correct me if my information is wrong. As I remember from the testimony of both General Hamble and others before the Committee on Military Affairs, they said that by May there would be practically no trained divisions or trained men in this country who were not on limited service, or who had not seen action, or who perhaps were not in the service units used to supply ships at the water-front ports, and various other places. Am I correct?

Mr. HILL. The Senator is absolutely correct.

Mr. MAYBANK. I thank the Senator.

Mr. HILL. Mr. President, I had been reading the letter from the Secretary of the Navy, Mr. Forrestal. I continue reading from his letter:

It should also be pointed out that men encounter the same risks at sea whatever their age and that the risks are based largely on the efficiency and training of those in a supervisory capacity which on every ship is composed of officers and petty officers with advanced training and mature experience. The performance of all of the numerous types and units of the Navy justifies approval of the continuance of the practices now in effect, without hampering arbitrary time limitations on utilization of men.

As to the Marine Corps, it is the present practice, even under the extreme combat pressure and high casualties encountered, to afford recruits 5 months' training in the United States and further training in a combat unit on the advanced fronts which is in preparation for future operations. It is the experience of the Marine Corps, based on its combat record, that this training is adequate.

In order to maintain unceasing pressure on the enemy at sea, which has advanced the end of the war beyond the anticipation of the enemy or of our people at home, it is absolutely essential to maintain the orderly progress of training and flow of replacements for those who have long sustained their efforts on the far-flung battle fronts which cannot be accomplished, if restricted as proposed in the intended amendments.

Sincerely yours.

In other words, Mr. President, what the Secretary of the Navy is saying that if we add these restrictive amendments we cannot keep the flow of replacements going to relieve the men who have been out on the seas and on the battle fronts, and who now are greatly in need of relief.

I call attention to the fact, as I read it in the beginning, that the Secretary of the Navy said that these amendments "would be disastrous to the administration of both the training and combat program and practices for the utilization of naval personnel and the conduct of naval operations."

Mr. President, I have detained the Senate longer than I had intended. We have here the strongest kind of a letter from General Marshall urging that these amendments be not adopted, and setting forth the strongest kind of reasons why they should be rejected. We have also from the Secretary of the Navy a letter stating that the adoption of the amendments would be disastrous to the administration of the Navy and the utilization of its personnel, and in carrying on its operations. To General Marshall and to our Army commanders, and to Admiral King and to our naval commanders, we have looked for the protection of our country, for the defeat of our enemies, for bringing us the victories which they have brought us in such magnificent and incomparable fashion.

As was said earlier today, General Marshall and Admiral King and our Army and Navy commanders have been able to bring us these victories because we of the Congress have been willing to let them conduct the war. We have been willing to let them administer and operate the Army and the Navy as they deemed best, and we have not sought to tell them how that operation or that administration should be carried out. When they have come to us and asked for money with which to build ships and airplanes and guns, with which to provide all the munitions of war, we have given them what they have asked. We have sustained and supported them, and they in turn have given us the most incomparable victories in all the world's history. Why should we now at this late moment, just as we stand on the eve of final victory in Germany, refuse to let them carry on the operations against Germany without our interference? If we put the pending amendment on the bill, and the amendment becomes law, no one can tell how much it may impede and hamper the operations of our armed forces in Germany. No one can tell to what extent such an amendment may result in slowing down our forces, and impeding their momentum and driving power.

We all know that the great secret of military success lies in this, that when once the enemy is on the run, once an advantage is obtained over him, the drive against him must be continued and intensified. That is exactly what we are doing in Germany today and what we have done during the past week. We have been driving and driving and driving the enemy, and winning victory after victory. Are we now going to stop that drive? Are we going to say "Stop" to our armed forces under Patton and

Hodges and Simpson and Bradley and Eisenhower? Are we going to say, "You have got to stop driving the enemy and you must examine every division and every combat unit and see whether you are carrying out a law which the Congress has just passed"?

Senators, that is the proposition which confronts us. We are nearly at the end of the road, and we have approached the end of the road much sooner than might have been expected, because of the fact that we have let Marshall and Hodges and Simpson and the other great commanders conduct the operations of our armed forces on the other side. Are we now to inject ourselves into those operations? Are we now to take the full authority out of the hands of the commanders and do the thing which they are now begging us not to do and which they say will be disastrous if we do it? That is our responsibility.

We must answer the question whether we will say to General Marshall, "You have done a wonderful job up to date, but now, on the very moment of victory, we are going to take some of your authority away from you. We are going to make a decision ourselves. We are going to impose our own will on you and on our armed forces."

Mr. President, since this war began I for myself have followed but one course, and it is that of allowing our military and naval commanders a free hand and sustaining and supporting them. I shall continue to follow that course. I am not going to say to General Marshall, or to General Eisenhower, or to General Patton, or to General Hodges, or to any of the other commanders that I put my judgment ahead of theirs, and I am not going to assume the terrific responsibility of perhaps prolonging this war at the cost of the lives of thousands of American boys.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL] as a substitute for the amendment offered by the Senator from Tennessee [Mr. STEWART] and other Senators to House bill 2625.

Mr. O'DANIEL. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	McMahon
Austin	Gerry	Magnuson
Bailey	Green	Maybank
Bankhead	Guffey	Millikin
Bilbo	Hart	Mitchell
Brewster	Hatch	Moore
Buck	Hawkes	Morse
Burton	Hickenlooper	Murdock
Bushfield	Hill	Murray
Butler	Hoey	O'Daniel
Byrd	Johnson, Colo.	O'Mahoney
Capehart	Johnston, S. C.	Overton
Chandler	Kilgore	Pepper
Chavez	La Follette	Radcliffe
Cordon	Langer	Revercomb
Donnell	Lucas	Robertson
Downey	McCarran	Shipstead
Eastland	McClellan	Smith
Ellender	McFarland	Stewart
Ferguson	McKellar	Taft

Taylor
Thomas, Okla.
Tobey
Tunnell

Walsh
White
Wiley
Willis

Wilson
Young

Mr. BANKHEAD. Mr. President, a parliamentary inquiry. Several members of the conference committee—

The PRESIDENT pro tempore. The result of the quorum call has not been announced.

Mr. BANKHEAD. I wish to inquire if several Senators who are in session in a conference committee with Members of the House, in the committee room of the Senate Committee on Appropriations, practically in the presence of the Senate, can be recorded as present.

The PRESIDENT pro tempore. Seventy Senators have answered to their names. A quorum is present.

Will the Senator from Alabama please restate his parliamentary inquiry?

Mr. BANKHEAD. I wish to know if several Members of the Senate, who are in conference with Members of the House on a very important appropriation bill, in the committee room of the Senate Committee on Appropriations, which as we all know is practically within the hearing of the Senate, can be recorded as present, at their request, without leaving the conference?

The PRESIDENT pro tempore. Under the rule they may not be so recorded, but they may be excused.

Mr. BANKHEAD. Mr. President, I ask unanimous consent that the Senator from Georgia [Mr. RUSSELL], the Senator from Arizona [Mr. HAYDEN], the Senator from Kansas [Mr. REED], the Senator from South Dakota [Mr. GURNEY], and the Senator from Kansas [Mr. CAPPER] be excused.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL] to the amendment offered by the Senator from Tennessee [Mr. STEWART] on behalf of himself the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], and the Senator from Colorado [Mr. JOHNSON].

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HATCH. Is the amendment offered by the Senator from Texas in the nature of a substitute?

The PRESIDENT pro tempore. That is correct.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I understand that if he were present and voting, he would vote as I am about to vote. So I am free to vote, and I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the

Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Missouri [Mr. BRIGGS] and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Pennsylvania [Mr. MYERS] is absent because of a death in his family.

The Senator from Montana [Mr. WHEELER] is absent on official business. The Senator from Maryland [Mr. TYDINGS] is detained in a committee meeting.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference at San Francisco. He has a general pair with the Senator from Michigan [Mr. VANDENBERG].

I further announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS], if present and voting, would vote "nay."

Mr. WHITE. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] who is detained on official business, has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco. He has a general pair with the Senator from Texas [Mr. CONNALLY].

The Senator from Minnesota [Mr. BALL] is necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The result was announced—yeas 9, nays 66, as follows:

YEAS—9

Bilbo	McCarran	Evercomb
Bushfield	Moore	Stewart
Langer	O'Daniel	Young

NAYS—66

Aiken	Guffey	Morse
Austin	Gurney	Murdoch
Bailey	Hart	Murray
Bankhead	Hatch	O'Mahoney
Brewster	Hawkes	Overton
Buck	Hayden	Pepper
Burton	Hickenlooper	Radcliffe
Butler	Hill	Reed
Byrd	Hoey	Robertson
Capehart	Johnson, Colo.	Russell
Capper	Johnston, S. C.	Shipstead
Chandler	Kilgore	Smith
Chavez	La Follette	Taft
Cordon	Lucas	Taylor
Donnell	McClellan	Thomas, Okla.
Downey	McFarland	Tobey
Eastland	McKellar	Tunnell
Ellender	McMahon	Walsh
Ferguson	Magnuson	White
Fulbright	Maybank	Wiley
Gerry	Millikin	Willis
Green	Mitchell	Wilson

NOT VOTING—21

Andrews	George	Thomas, Idaho
Ball	Glass	Thomas, Utah
Barkley	Johnson, Calif.	Tydings
Bridges	Mead	Vandenberg
Briggs	Myers	Wagner
Brooks	Saltonstall	Wheeler
Connally	Scrugham	Wherry

So Mr. O'DANIEL's amendment in the nature of a substitute for the amendment of Mr. STEWART was rejected.

HONORARY RANK OF COLONEL TO MAJ. EDWARD J. KELLY, SUPERINTENDENT, DISTRICT OF COLUMBIA POLICE FORCE

Mr. BILBO. Mr. President, with the kind consent of the leaders on both the Democratic and Republican sides of the Chamber, I wish to request unanimous consent for the consideration of House bill 2687, Calendar No. 193.

The PRESIDENT pro tempore. The bill will be read by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2687) to grant the honorary rank of colonel to Edward J. Kelly, Major and Superintendent of the Metropolitan police force of the District of Columbia.

Mr. BILBO. Mr. President, without taking much of the time of the Senate, I wish to state that Major Kelly, who is now the head of the Metropolitan Police force of the District of Columbia, has been a member of the police force for 39 years, rising from a private to its commanding officer. The bill provides an expression of appreciation and recognition of his services which have been devoted to the police force of the District of Columbia all these years. The bill was passed by unanimous vote of the House of Representatives, was sent to the Senate, and has been referred to the Committee on the District of Columbia, from which is has been reported without amendment. The bill involves no increase in salary.

Mr. WHITE. Mr. President, will the Senator yield to me?

Mr. BILBO. I yield.

Mr. WHITE. If the bill involves no increase in salary, and if it will make any contribution to the efficiency of the police force of the District of Columbia, I shall have no objection to it.

Mr. BILBO. The bill would do us no harm; it would do Major Kelly a great deal of good, and it would help the morale of the police force of the District of Columbia.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2687) to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

WAR BOND DANCES FOR CONGRESSIONAL PAGES' AIR ARMADA

Mr. STEWART. Mr. President, last year I had the privilege to bring on the floor of the Senate the message of our pages regarding the War bond dances at the Shoreham Hotel to raise the cost of a congressional pages' air armada. Those War bond affairs were a great success in respect to the amount of War bonds purchased, as well as in attendance. The Army Air Force helped and encouraged them last year, and will do so again this year. They are making two planes available to be christened outside of the Capitol on April 30, one for the

Senate pages and one for the House pages.

President Truman, our former colleague, Mr. RAYBURN, the Speaker of the House, and Mr. Lynn, the Architect of the Capitol, have given their approval to this affair. The pages are doing this in order to induce the youth of the Nation to become "brothers in bonds" with them, and to give their own War bond affairs in order to have armadas representing their States or communities, as well as to start a rocket plane armada in order to speed the Pacific warfare to restore the world to peace and order. The pages feel that the more War bonds the people have after the war, the greater will be the prosperity of the Nation in the post-war period. They feel, furthermore, that the more planes the Nation and people own, the larger will be the air traffic between the United States and our Latin American neighbors when peace is restored. Thus, closer relationships will be fostered by the interchange of each other's products and industries.

Therefore, to that end, they have invited the young people of the Latin American diplomatic and military corps, as well as others of their nations, who will be in national dress of their countries.

Although I have not consulted him, I understand that the Senator from Kentucky [Mr. CHANDLER] will be the master of ceremonies on that occasion. Music will be furnished by the official band of the Army Air Force. A program has already been worked out. After the christening ceremony, on April 30, the band will play for the dance at the Shoreham Hotel from 8 o'clock p. m. until midnight. This dance will be by congressional invitation only, with each Member receiving an equal number of invitations.

There will be no expense attached to the ceremony in front of the Capitol or to the affair at the Shoreham Hotel. However, those who attend will be able to buy War bonds, War stamps, or stamp corsages at both affairs.

The pages are having made up a sponsorship plaque on which will be inscribed the names of those who buy bonds. The plaque will be hung in the pages school, or wherever Congress would like to have it placed.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDENT pro tempore. The question now recurs on the amendment offered by the Senator from Tennessee [Mr. STEWART], for himself and other Senators.

Mr. McCLELLAN obtained the floor. Mr. TAFT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. What is the status of the amendment proposed by the Senator from Massachusetts? Has it been accepted?

The PRESIDENT pro tempore. It has not yet been offered.

The pending question is the amendment offered by the Senator from Tennessee [Mr. STEWART] on behalf of himself and other Senators.

Mr. WALSH. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I yield.

Mr. WALSH. I assume that at the proper time my amendment, which has been printed, to the amendment of the Senator from Tennessee [Mr. STEWART] and other Senators will be accepted by him.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. STEWART. Let me say that the Senator from Arkansas has an amendment which he is about to call up or offer. The purpose of the group of Senators sponsoring the amendment which I have offered is to accept the amendment of the Senator from Arkansas and also to accept the amendment which was sent to the desk the other day by the Senator from Massachusetts, the chairman of the Committee on Naval Affairs.

Mr. McCLELLAN. Mr. President, I send to the desk an amendment which I offer.

The PRESIDENT pro tempore. The amendment will be read.

The LEGISLATIVE CLERK. At the end of line 8, it is proposed to strike out the period and add the following:

of such character and to the extent necessary to prepare such inductees for combat duty.

Mr. McCLELLAN. Mr. President, in view of the fact that the sponsors of the original amendment have agreed to accept my amendment as a modification of it, I merely wish to say that in the course of debate last Friday the suggestion was made that possibly the original amendment might be construed as permitting an inductee to be used in combat simply after remaining in the military service for 6 months, regardless of whether he had received proper training, and that such service, without adequate training, might be regarded as compliance with the amendment. In order that there may be no misunderstanding as to the intent of Congress, I propose in my amendment that the Congress provide that the military training shall be "of such character and to the extent necessary to prepare such inductees for combat duty." I think that with the adoption of that amendment to the pending amendment there could be no misinterpretation of the intent of Congress.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. STEWART. I think the amendment offered by the Senator from Arkansas, which has just been read, as well as the amendment sent to the desk the other day by the Senator from Massachusetts, both of which we have accepted as modifications of our own amendment, strengthen and clarify the amendment we offered. Certainly they emphasize the purpose of our amendment. On behalf of the sponsors of our amendment, I say that we are very glad to accept them.

I think the amendment of the Senator from Arkansas makes perfectly plain

and clear the intent of the group of Senators who introduced the original amendment, namely, that young men 18 years of age shall be trained for combat service for a period of 6 months before they are placed in combat. The amendment of the chairman of the Naval Affairs Committee likewise clarifies my amendment. The authors of the amendment have no purpose or intention of undertaking to interfere with volunteers. I understand that on a rather large scale the Navy is taking volunteers under 18 years of age. We have no intention of interfering with that program or interfering with the training of men who have been inducted at places other than within the borders of the United States, particularly as referred to in the amendment of the Senator from Massachusetts which provides that they may be trained on board ships on the high seas.

The PRESIDENT pro tempore. The amendment of the Senator from Arkansas [Mr. McCLELLAN] has been proposed, but the amendment of the Senator from Massachusetts [Mr. WALSH] has not as yet been offered. The Senator from Tennessee has a right to modify his amendment.

Mr. STEWART. Mr. President, the amendment of the Senator from Massachusetts was read at the desk a few days ago, and I ask that it now be reread by the clerk.

Mr. WALSH. I will offer my amendment so that the Senate may act on it or that it may be accepted by the Senator from Tennessee as a modification of his amendment.

Mr. McCLELLAN. Mr. President, I will not object to the request of the Senator from Tennessee that the amendment be read, but I think that the situation would be expedited by acting first on my amendment and then on the amendment of the Senator from Massachusetts.

The PRESIDENT pro tempore. The Senator from Tennessee [Mr. STEWART] may modify his amendment at any time before it is acted upon by the Senate.

Mr. STEWART. Mr. President, I suggest that the situation would be simplified by the Senator from Massachusetts offering his amendment now and letting the Senate act upon it.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MURDOCK. As I understand the present parliamentary situation, the Senator from Tennessee has modified his amendment by including the amendment offered by the Senator from Massachusetts and the amendment offered by the Senator from Arkansas. When we vote on the amendment of the Senator from Tennessee are we to understand that his amendment includes both the amendment of the Senator from Massachusetts and the amendment of the Senator from Arkansas?

Mr. STEWART. That is correct. If I have not already done so, I now ask leave to modify my amendment so as to include the amendment of the Senator from Massachusetts and the amendment of the Senator from Arkansas.

The PRESIDENT pro tempore. The clerk will read the amendment of the Senator from Tennessee as modified.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following:

And provided further, That no man under 19 years of age who is inducted into the land forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Tennessee as modified.

Mr. TYDINGS. Mr. President, I wish to propound a question to the Senator from Massachusetts. Let us assume that a man who is less than 19 years of age has had 5 months of training and is on a ship at sea. The ship is ordered to proceed to some theater of action where fighting is taking place. How would that man be taken off the ship?

Mr. WALSH. I do not believe that would be necessary. He is not supposed to be ordered upon a ship which is bound for actual combat until he has been trained for the period named.

Mr. TYDINGS. That may be true, but I have in mind that the man was assigned to a ship which was not expected to go into combat. Because of some change in the military situation it becomes necessary for the ship to be directed to proceed to the place of combat because its presence is considered essential to insure victory.

Mr. WALSH. As I understand the basic part of the amendment of the Senator from Tennessee, it contains the word "ordered." No one shall be ordered into combat. The amendment proposed by me would give the Navy an opportunity to place enlisted men or officers on naval vessels which had not been ordered into action and where necessary training could be given. It would not in my opinion prevent one from participating in an unexpected conflict with the enemy.

My amendment is based upon the assumption that if the amendment of the Senator from Tennessee [Mr. STEWART] is adopted it might handicap the Navy in giving early training on vessels to its enlisted personnel. If my amendment is adopted it will make it clear that the Navy can continue as in the past to train its youthful personnel.

Mr. TYDINGS. I sympathize with the Senator's purpose.

Mr. WALSH. There are many vessels on which a man could be placed that would not be ordered into conflict. The point I wish to develop is that there is not in my proposal any prohibition against the man going on to a naval vessel at any time or at any place for combat training.

Mr. TYDINGS. I realize there may be the best intention in the world to carry out the understandable motive of

the Senator from Massachusetts, but the Navy is often in the position of finding it necessary to order a ship to some theater of action. On that ship there may be 10 or 20 men who had not received 6 months of training. That is the situation which I have in mind.

Mr. WALSH. The situation to which the Senator refers is not a serious one because the law does not apply to volunteers. It applies only to draftees. Few men now are taken into the Navy except as they volunteer.

Mr. TYDINGS. I do not believe the situation is fair to volunteers.

Mr. WALSH. The amendment of the Senator from Tennessee excludes entirely volunteers. I understand this amendment is to protect only men who are drafted into the service by requiring that they be given a certain degree of training.

Mr. TYDINGS. I can see the philosophy back of the amendment. It seems to me to be a practical proposition that a man may be placed on a ship which may be sailing up and down the Pacific or the Atlantic coast, and come in contact with an enemy submarine. Under the strict letter of the law the commander would have to turn around and sail away from the submarine because if he engaged in combat he would be taking a new man into active service.

Mr. WALSH. In my opinion the amendment would protect an officer under such circumstances who found it necessary to fight the enemy. The basic amendment before the Senate provides that men shall not be placed on vessels known to be combat vessels until having been given 6 months of training. But, in my opinion, if it should become necessary to make an attack the officer in command should, of course, have the right to proceed into action.

Mr. HILL. Mr. President, I should like to ask a question. If the vessel were attacked and it sought to defend itself, as I imagine it would, would it not be in combat?

Mr. WALSH. In my opinion, if this amendment should be adopted, it would not be applicable in such a case, and the officer in command of the vessel could use those on the vessel who had not had the full training period provided for by the amendment.

Mr. TYDINGS. Mr. President, if the Senator will allow me to interrupt, should the vessel wait until it is attacked? It should take the offensive and put the enemy out of business before the enemy could sink it. Who wants to sit around with an enemy submarine in the neighborhood and wait until his vessel is shot at?

Mr. STEWART. Mr. President, I think the Senator from Massachusetts explained that when he said that no inductees at all under 19 years of age were being taken into the Navy. That completely answers the question.

Mr. TYDINGS. But the policy might be changed in a month, and it looks to me as if with the ending of the war in Europe we will be facing a naval war in the Pacific, for the time being, rather than a land war.

Mr. STEWART. It would be judged on the basis of existing law.

Mr. WALSH. In answer to the question of the Senator from Alabama, the vessel upon which a boy under 18 years of age was serving, under the circumstances spoken of, would be drawn to attack by the enemy, not ordered by our own Navy.

Mr. HILL. Will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. HILL. I submit that it does not make any difference how the attack comes; if they exchange fire, as they no doubt will do—and certainly our ship, as the Senator from Maryland has said, will be trying to get in the first lick—then the boy will be in combat. The ships will be in combat, and he will be in combat.

Mr. WALSH. The strong word in this amendment is "ordered." It is to prevent ordering a man into combat, either in the Army or the Navy, until he has had a prescribed amount of training. I emphasize again the word "ordered." I think it is a false interpretation, and an extension of the real purpose and intent, to claim that if a boy who is only 4 months in service meets an enemy who shoots at him, he would not be justified in combating the attack under the circumstances.

Mr. HILL. Will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. HILL. The boy of whom I speak would be acting under orders. Every man on the ship would be under orders. Can anyone conceive of a worse or more confusing situation than to have them not under orders?

Mr. WALSH. According to the Senator's interpretation, Congress would never have a right to suggest that a boy get even 1 month's training. The purpose of the amendment is to inform the Army and Navy that they are not to take raw recruits, without a certain degree of training, and order them into combat service.

Mr. TYDINGS. Mr. President, if the Senator from Massachusetts will allow me to interrupt him, it seems to me that in order to carry out the philosophy of his amendment—and I see what he is driving at—it would have to carry some connotation such as this, "wherever it can be anticipated," or "directly."

Mr. WALSH. My amendment is an attempt to modify the force of the amendment of the Senator from Tennessee, and to give the Navy's interpretation of the amendment so that it should not be denied the opportunity of training its enlisted personnel who enter through the draft from receiving their early training on naval vessels.

Mr. CHANDLER. Mr. President, will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield.

Mr. CHANDLER. I think all of us recognize that the rough service is the Infantry, the walking soldier. The Navy is getting volunteers, because the fellow who waits to be drafted now and expresses a preference for the Navy has literally no chance; he is put in the Infantry right away. The Navy is getting the benefit of that situation, and young men are volunteering, because except for

the time a Navy man is actually involved in combat, he lives with some degree of comfort on a ship, while he is training, or while he is in a fight, and the one who is training on a ship would not necessarily be on a combat ship, on a battleship or cruiser or destroyer. He would not have been ordered to combat.

Of course, as I said a few days ago, it makes no difference what kind of a law we pass, if someone shoots at one of our boys and he has something with which to shoot back, he is not going to say, "I am sorry, Congress says that until I get 6 months' training I cannot shoot at you." Whatever he has he is going to throw at the enemy, that is certain.

Mr. TYDINGS. The Senator from Kentucky has put his finger on what I think we could logically accomplish, rather than try to accept something which, in my judgment, is not humanly workable. I think we are almost down to the situation where the Congress of the United States calls on the War Department and the Navy Department not to use men under 19 years of age until they have had 6 months' training, wherever it can be conceivably possible. It is theoretically possible for a submarine to come up and shell a camp along the Atlantic Coast, and we would not have time then to get word out to tell all the 18-year-olds to go 10 miles to the rear, that the remainder were going to see what they could do about it. In my opinion, we have an idea here, but we have not the language to carry it into effect logically.

Mr. MAGNUSON. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. MAGNUSON. What the Senator says shows how impracticable it is to try to legislate for this purpose. It is true that most men in the Navy today are not inductees. That is because, I say to the Senator from Kentucky, the Navy is a much better service, in the opinion of most boys. Nevertheless, not all the young men who want to go into the Navy, can be taken care of. But suppose the Pacific war became primarily a naval war, and the Navy were not getting the number of men required; they would have to draft men; and there was a time when they had to. We put them through 90 days' boot training, then they are assigned to a cruiser, an aircraft carrier, or a destroyer, all combat ships.

I ask the proponents of this amendment, what are they going to do with the men at the end of the 90-day period, when they finish their boot training? The cruiser might be used in combat right away.

The sentiment behind the amendment is fine, but I do not know how it can be worked out for the Navy training. The Army presents a different story. The Infantry presents a different story. But I do not know how it could be worked out in the Navy.

Mr. TYDINGS. The Senator has suggested in substance what we can do, that is, request the Army and Navy not to take into combat boys under 19 years of age, wherever it is conceivably practicable. But without putting the words

"conceivably practicable" in the amendment, I do not think the officials can function under such an amendment.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WALSH. In my opinion, if the word "practicable" were inserted in the amendment of the Senator from Tennessee, we might as well have nothing at all. The reason for my amendment is that the Navy wanted it clearly understood that the provisions of the amendment of the Senator from Tennessee should not be construed as being broad enough to prevent training on naval vessels.

Mr. MAGNUSON. Of course, we have some training, but we have not enough. The men have to be put on board ship at some place.

Mr. WALSH. Some kind of ship; yes.

Mr. HAWKES. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. HAWKES. I should like to see if an addition I may suggest to the amendment of the distinguished Senator from Massachusetts would cover his point. His amendments provides:

This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and its reserve components thereof to duty for training on vessels of the Navy or Coast Guard.

I suggest adding the words "not being directed into combat."

Mr. TYDINGS. At the time of assignment?

Mr. HAWKES. Yes.

Mr. TYDINGS. Or a day after assignment?

Mr. HAWKES. Any time.

Mr. TYDINGS. If they should be directed into combat, as the Senator knows, the day after they were assigned, the whole purpose of the amendment would be defeated.

Mr. HAWKES. I am saying it would not prevent enlisted men from being put on these vessels provided the vessels were not being directed into combat.

Mr. TYDINGS. The point I make is that after 3 months' training, if a man is attached to a ship within a week thereafter, but the ship is not being directed into combat, but is at sea for training purposes, and thereafter a situation evolves which makes it necessary to send that ship into combat, there would be no way of getting men who had not had the 6 months' training off the ship.

Mr. HAWKES. I thought the Senator had the point in mind that the man would have to fight if there were a submarine present and the boat on which he was placed were attacked. Perhaps I have not made my point clear. The point I am trying to make is that the purpose is not to send the sailor into combat on that vessel.

Mr. TYDINGS. Let us assume that the amendment the Senator offers is agreed to. The man in question has performed his 90 days' training. Ten days thereafter he is assigned to Cruiser X. Cruiser X is not intended to go into combat for another 5 months. So the men are out on a training cruise 500 miles offshore when a great naval battle looms and it is necessary to send every avail-

able ship into that fight. The man in question is on that vessel. He is at sea. According to law, if the amendment were agreed to, it would be illegal for that ship to take part in the battle. That was the point I was making. I am not taking issue with what the Senator is attempting to do, but I do not think anyone has done it yet by any of the amendments suggested.

Mr. MAGNUSON. Mr. President, may I say that we have very few training ships in the Navy. I would wager that 90 percent of the men in boot training are on board the ships on which they are going to serve, and all the ships we have are being used as potential combat ships. May I place in the Record the fact that we are still relying on inductions in the Navy. Last month 13,700 men were required to be inducted into the Navy. We did not have a sufficient number of volunteers.

Mr. TYDINGS. Mr. President, I should like to say a brief word in my own behalf.

Mr. HILL. Mr. President, before the Senator does that, will he yield to me?

Mr. TYDINGS. I should like to yield to the Senator from Arkansas [Mr. McCLELLAN] before I begin. He has been standing for a considerable time waiting for me to yield.

Mr. McCLELLAN. Mr. President, it seems to me we are rather straining our interpretation of the original amendment. The amendment provides that "no man * * * shall be ordered into actual combat service," and so forth. In the illustration the Senator from Maryland gave of men who were in training on the ship when a submarine attacked it, that would not be ordering the men on the ship into combat service. That would be combat action overtaking them.

Mr. TYDINGS. But the other point I make is that after they are on the vessel in training, and a naval action takes place somewhere, and the naval authorities think it is necessary to make every ship available to go to that area, and they flash word for the ship to proceed to Leyte, or wherever it might be, would not that be ordering the ship into action before the 6 months' period of training was completed?

Mr. McCLELLAN. Under those circumstances, that is true.

Mr. TYDINGS. That is the objection I make to the amendment.

Mr. McCLELLAN. If I correctly understand the amendment of the Senator from Massachusetts, it would protect the Navy under such circumstances.

Mr. WALSH. The amendment was prepared so as to prevent the amendment offered by the Senator from Tennessee [Mr. STEWART] from forbidding the Navy ordering on any vessel at any time any enlisted man in the Navy, for fear he might sometimes get into combat.

Mr. McCLELLAN. In other words, if the amendment proposed by the Senator from Massachusetts is adopted, the Navy would feel free to place such men on ships which might be called into combat, and therefore the amendment of the Senator from Tennessee would not prohibit it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HILL. I wonder if the Senator from Maryland has examined the amendment of the Senator from Massachusetts. His amendment would put men in the land forces, which means the Army, under this inhibition, but not men in the naval forces. Is that the purpose of the amendment?

Mr. WALSH. No, Mr. President; there was an error in the printing. The only part of my amendment that is a modification of the Senator's amendment commences in line 8.

Mr. HILL. Beginning with the words "this proviso shall not be construed?"

Mr. WALSH. Yes.

Mr. HILL. In other words, as I understand, when the Senator offers his amendment he will modify it by striking out lines 4, 5, 6, 7, and 8 down to the semicolon, so it will begin with the words "this proviso shall not be construed?"

Mr. WALSH. Yes; the Senator from Tennessee will accept that part of my amendment.

Mr. STEWART. Yes. Will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. STEWART. I was about to call attention to that very thing. The Senator from North Carolina [Mr. BAILEY] called my attention to it. In the print of the amendment intended to be proposed, identified as "amendment intended to be proposed by Mr. WALSH" the words "or naval" are left out. That is an error made by the printer in printing the amendment intended to be proposed by the Senator from Massachusetts, which was asked to be printed merely for the information of the Senate.

Mr. President, I accepted the amendment of the Senator from Massachusetts, but not the entire print that is on the table. I accepted the amendment as I understood it, beginning at line 8; which reads:

This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard, and the Reserve components thereof, to duty for training on vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

The PRESIDENT pro tempore. The amendment has been so modified.

Mr. STEWART. Then do I make it clear that I intended to accept that portion of the amendment intended to be proposed by the Senator from Massachusetts, from line 8 on down, as I have read?

The PRESIDENT pro tempore. The clerk has the amendment at the desk.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. In order to meet the objection of the Senator from Maryland, I suggest a further amendment to the Walsh amendment, which now is as follows:

This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on

vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

It seems to me that naval training is a very different thing from Army training. There is no objection to assigning a man to a ship shortly after his boot training, and it seems to me that the Senator might suppose that when the amendment provides "training on vessels of the Navy," it means training vessels. I do not think the amendment meant that when the Senator offered it, and I would suggest that it might read "duty for training on combat vessels of the Navy or Coast Guard."

That is what I think the amendment should mean.

Mr. TYDINGS. Under the case I visualize, of course, if the vessel were needed quickly it would be sent to the area where it was needed.

Mr. TAFT. It would be sent to the area where it was needed. That is obviously correct. I wonder if the Senator from Tennessee would be willing to add the word I suggest to the Walsh proviso.

Mr. TYDINGS. Just a moment. Mr. President, may I ask the Senator from Ohio if his proposal applies to all enlisted men, both inductees and volunteers, or simply the one group only.

Mr. TAFT. I had not considered that point. I merely wanted to suggest that men could be placed on combat vessels for training, and clearly if they are combat vessels then the men go on combat vessels, that is all.

Mr. TYDINGS. And does it apply to marines who are stationed on battleships, and who are land fighters, and who will be sent ashore if it is necessary under the case we visualize before the 6 months have expired? I am not saying that in any captious sort of way, but it seems to me that if we are attempting to establish a policy it would be unfair to take an 18-year-old boy in the Marines and let him charge up to the top of Suribachi on Iwo Jima and then allow the Army counterpart the opposite privilege or restriction.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. I do not think it should include Marines. The Marines are not trained on the ships and, so far as I know, the Marines who have been sent abroad have been trained for far more than 6 months. I doubt if any Marine replacements have been sent abroad without having received 12 months' training. I do not believe that the exception should apply to Marines. I myself think they should have 6 months of land training just like a soldier. A sailor on a ship has his friends around him, he is not subjected to individual attack, so to speak, and it seems to me he ought to be properly excepted from the entire provision.

Mr. TYDINGS. And that would prevail whether he was a volunteer or an inductee?

Mr. TAFT. Yes. I am only making a suggestion, not proposing an amendment.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Washington.

Mr. MAGNUSON. Let me say to the Senator from Ohio that, although the Navy has some training ships, there are not nearly enough training ships to afford 3 months' training on training ships for all the men who come out of boot camp.

Let us assume that a man leaves the Great Lakes boot camp. He is assigned and receives his orders to proceed to San Francisco to board the cruiser *Cincinnati*. He goes aboard the cruiser *Cincinnati*. The cruiser *Cincinnati* is a combat ship. The minute it "hoists the hook" in San Francisco Harbor it becomes a combat ship. He finishes training aboard ship. If the Navy could not do that, it would have piled up in all the ports of embarkation men who had finished boot training at Great Lakes or Farragut and who were waiting for 6 months to elapse before they could board the ship to which they were assigned.

Mr. TAFT. Mr. President, the Senator must have misunderstood me. He is not telling me anything that I do not know. My suggestion was to insert the word "combat" before "vessels" so that it would be clear, beyond any question, that the men could be sent to combat vessels. That was my suggestion.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CHANDLER. I ask Navy and Marine Corps supporters to be reasonable. Only about 2 or 3 percent of the 500,000 men in the Marine Corps have been inducted. The rest are volunteers. They have had superb training. They have had maximum training. The Navy may use some of those men, of course. It gets the pick of the volunteers. There is no more rugged service than that of the GI soldier who wades through the mud with his gun. He has the roughest time of all. This is an amendment for the benefit of the infantryman. Let us give the hard-pressed Infantry soldiers a little relief.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. STEWART. Of course, we are assuming a purely imaginary condition. As I understand, through an agreement with the Army, the Navy does not now get any men under 20 years of age. I venture the assertion that, as a matter of policy, all the younger men are going to the Army. It is my opinion that today there is not a seaman in the United States Navy under 19 years of age who has not had 6 months' training. So we are assuming a perfectly imaginary condition. If, when the war turns in full force to the Pacific, such a thing as has been debated occurs, we can consider the matter again and repeal any laws which may hamper the operations of our armed forces, either on sea or on land. I am trying to view the problem in a realistic light. I venture the assertion that today there is not a man in the United States Navy under 19 years of age who has not had 6 months' training. So we are dealing with an imaginary situation.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HILL. On the question of the number of inductees entering the naval service, last month the Navy got 29,541 of the men who came in under selective service.

Mr. STEWART. What were their ages?

Mr. HILL. I cannot give the breakdown by ages. Some of them were 18 years of age.

Mr. STEWART. I understand that since the first of the year the Navy has not received a man under 20 years of age.

Mr. HILL. The Senator's understanding is incorrect.

Mr. STEWART. No; I have the information.

Mr. HILL. Starting in October 1944, there were 24,247—

Mr. STEWART. What were their ages? We are dealing here only with men under the age of 19.

Mr. HILL. I understand; but in that number there were bound to be some under the age of 19.

Mr. STEWART. I understand not.

Mr. HILL. The Selective Service has not culled out the men under 19. The Navy gets its proportionate part.

Mr. STEWART. I have been informed to the contrary.

Mr. HILL. I believe the Senator's information is incorrect.

Mr. TYDINGS. Mr. President—

Mr. HILL. Mr. President, will the Senator further yield to me?

Mr. TYDINGS. I will permit the Senator to complete his statement, after which I will decline to yield further.

Mr. HILL. I wish to call attention to the fact that in the month of April the Navy received 27,500 inductees.

In connection with the Marine Corps, and what it was to receive, I have before me a letter from the Secretary of the Navy dated April 19, or Thursday of last week, addressed to Hon. DAVID I. WALSH, chairman of the Naval Affairs Committee of the Senate. Secretary Forrestal had this to say:

As to the Marine Corps, it is the present practice, even under the extreme combat pressure and high casualties encountered, to afford recruits 5 months' training in the United States and further training in a combat unit on the advanced fronts which is in preparation for future operations. It is the experience of the Marine Corps, based on its combat record, that this training is adequate.

One further word, and then I shall let the Senator from Maryland make his speech. Just as there must be training on ships for Navy men, so there must be training in divisions for Army men.

Mr. TYDINGS. What the Senator just read referred to the Marine Corps.

Mr. HILL. The Marine Corps is very similar to the Army. When a man finishes his boot training in the Navy, as the Senator from Washington has stated, he must be placed on a real, honest-to-God ship, to proceed with his training so that he can take his place as a part of the team on the ship. In the same way, when a man finishes his basic training in the Army, he must be placed in a division,

so that he may receive training which will enable him to take his place on the team, the team being the division.

Mr. TYDINGS. Mr. President, all I have to say about my own position is that I look with a great deal of favor on the effort by the military and the Congress to give every man—even those over the age of 18 or 19—6 months' training before they are thrown into an active theater of war, as being in the best interests of ultimate victory.

A moment ago the Senator from Alabama read certain figures, to the effect that in recent months, out of 8,000,000 men in the Army, only 10,000 under the age of 19, who had not had quite 6 months' training, were in combat areas, and sometimes in combat. It seems to me that the Army is trying to accomplish in practice what we are trying by law to compel it to do. I have reached the conclusion that perhaps, all things considered, the Army is doing what we wish to have done as well as it can be done.

To begin with, there can be very little logic in requiring an inductee to have 6 months' training, and not requiring a volunteer to have 6 months' training, if there is anything at all in training.

Secondly, in my judgment it is just as important for a man over 19 years of age to have 6 months' training as it is for a man under 19 years of age to have such training. In my judgment, the man over 20 years of age would need the 6 months' training a great deal more than would the man who is 19 years of age.

Sharing, as I do, the opinion of those who have sponsored these amendments, it is rather difficult for me to find the means of achieving the desired result much better than it is now being realized.

The Marine Corps is quite similar to the Army. Its primary operation is to land somewhere and fight on land. Its greatest fame has been based upon such operations throughout its history, and throughout all the days of this war.

I am not speaking in opposition to this amendment, but I do not believe it practicable in its present form. Nor do I believe that it would ever be carried out on the field, because of situations which will arise which cannot be visualized at the time a man is assigned to a ship, regiment, or other unit. I believe that before writing such a rigid requirement into law, it should be further considered. Considering the scope of the operations abroad, and the number of men over there who have not had 6 months' training, and who might have been utilized, I believe that the very fact that only 10,000 men have had less than 6 months' training is a high tribute to those who are directing our armies.

As we know, the situation in the Navy is vastly different. The only way for a man to receive training in the Navy is to go on a ship. There is no way in God's world to learn how to fire the guns of a ship, or to be a part of the ship's life, without serving on the ship. As the Senator from Washington has pointed out, if all of them were required to have 6 months' training first, there would be a 3 months' hiatus when the training would virtually stop, and a man would not be progressing military-wise at all. Therefore I make the recommendation

that before we adopt the amendment, the committee should give it further study. We had better not adopt it in its present sketchy and indefinite form.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. I have been concerned with this question for some months. In February I spoke in the Senate concerning the case of a boy who was killed a little more than 5 months after he was inducted. Since that time I have received more than 3,000 letters from all over the United States, citing many similar cases. I have referred to some of them today—those who were killed at some time between 5 and 6 months after they were inducted into the Army. For a long time the Army said they needed 17 weeks of training. Then they skimped it down to 15 weeks of training. Finally they got down in some cases to 13 weeks of training. The regular rule was that just as soon as those boys received that training they were sent home on 10-day furloughs, and then they went to Camp Meade, and then immediately were shipped abroad. I do not know about the 10,000 who have been referred to, but I say that practically every 19-year-old boy who was inducted during the period from June to September followed the same course, and that thousands of them were sent abroad within four months from the time when they were inducted, and that many of them reached the front within 5 months from the time when they were inducted, and that many of them were wounded or killed after that time.

Mr. President, I should like to have printed in the RECORD a letter I wrote to the Secretary of War on March 12, which I now read in part:

DEAR MR. SECRETARY: Since February 27, when I called attention in the Senate to the fact that many 18-year-old boys had been killed or wounded within 7 months—

At that time I said 7 months, but these cases show it has been less than that—of the time when they were inducted into the Army, I have received literally thousands of letters protesting without exception against the apparent War Department policy of sending 18-year-old boys to the front immediately upon the completion of their basic 15 weeks' training. Many instances have been cited with clippings which show that a large number of boys have been killed or wounded less than 6 months after their induction, and long before they were 19 years of age.

When the first draft bill was passed, the statement was made that men could not be trained short of 15 months. Congress finally enacted legislation based on the theory that 12 months was the proper period.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HILL. The Senator has stated that the bill was passed on the basis of the understanding that men could not be trained in less than 15 months. I do not think the Senator should say that the theory was that men could not be trained in less than that period of time. The theory was that divisions could not be trained in less than 12 months' time. As the Senator must know, there is a vast difference between the training of an in-

dividual soldier and his preparation to become a member of a team and the training of the great team or division, which constitutes 15,000 or 20,000 men. There is the greatest difference in the world between training a team of 15,000 or 20,000 men and training an individual.

Mr. TAFT. That is quite true. It is quite true that General Marshall demanded 18 months of training when we started. Subsequently he testified that he accepted 12 months' training as a compromise, but that in his opinion 15 months of training had always been necessary. Of course, that included the training of divisions. However, at that time he had the National Guard divisions all formed, and they were going to put the new trainees into the National Guard divisions. So we had at least started on the formation of new divisions. The actual situation is not at all clear from the testimony submitted at the time. The distinction was not one which was clearly made.

When we argued whether an 18-year-old boy should be put into the Army, and when the argument was made that they were too young, the Army and everyone else said, "Well, they will not go into combat service until they are 19 years old." Perhaps they did not intend that, but that is what they said at that time. There was not a flat statement that such men could not be properly trained in less than 12 months, if divisions had already been formed; but the implication was perfectly clear to the people of the country that the men would be in the Army a year before they would go into active service.

Mr. TYDINGS. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield.

Mr. TYDINGS. I think all the statements to which the Senator from Ohio has referred were made, but I think they are subject to some misinterpretation. In appearing before the Appropriations Committee to obtain money for camps and training, General Marshall said that he had to start out with a very small trained force, that he had to dilute that force in order to extend it and train green men. He said that when he got those men adequately trained or approximately trained, he had to dilute the force again, until he could bring about a reasonable degree of efficiency throughout the whole Army.

After General Marshall has gotten what is basically a splendidly trained army, with division, brigade, army, and corps training thrown in, and with equipment in addition, he said it would not thereafter take the length of time to develop a good soldier that it would take in the beginning, when he had only a small trained army and millions of new men to train quickly, with the result that the dilution was so terrific that he could not get the desired efficiency in less than a year or 15 months.

Mr. TAFT. At any rate, in the Senate we adopted an amendment providing that no boy should be sent into combat service sooner than 1 year after he was inducted.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HILL. I know the Senator from Ohio desires to be fair to General Marshall. I take strong exception to having the Senator create the impression that General Marshall ever said to the Senate or to the country that the individual soldier would receive or would require 12 months of training. The truth is that when the question of lowering the age limit under the Selective Training and Service Act was before the Congress, with the proposal that the age limit be reduced to 18 years, General Marshall wrote a letter to the then chairman of the Senate Committee on Military Affairs, Senator Reynolds, of North Carolina, under date of October 23, 1942, in which he said, among other things:

A rifleman—

Mr. President, who is a rifleman? He is the infantryman, the one we have been talking about all afternoon—

A rifleman, when he finishes his 13 weeks of basic training, is prepared to take his place in an experienced squad at any time. If 8 or 10 men in the squad have had team training, the trained rifleman can be inserted in the squad without detriment either to himself or to his unit.

I could give you many other examples where it would be unnecessary and undesirable to hold a man out of a combat theater for 12 months. It would be almost impossible for the Army to operate under any such mandate. We would, in effect, have to put thousands upon thousands of men "on the shelf" after their essential training had been completed, before we could use them. In the Air Corps alone possibly 500,000 such men would be involved.

Incidentally the Navy and the Marine Corps enlist men of 17, and I am told that the average age of the entire corps is below 20.

He specifically said that he could give many instances when it would be undesirable and unnecessary to hold men out of combat until they had received 12 months of training.

Mr. TAFT. However, Mr. President, we passed a bill providing that they should be held out of combat for 12 months, and that bill went to conference. Subsequently we received the letter of October 23, 1942, from General Marshall, and also a letter from the President of the United States, addressed to the Senator from South Dakota [Mr. GURNEY], reading as follows:

MY DEAR SENATOR: Concerning the proposed legislation to lower the selective-service age now before the Senate, I have been told that several limitations will be proposed in the form of amendments. It appears to me that the complicated administration necessarily involved in the handling of large numbers of men in the Army as well as the urgent necessity for correcting the present deficiencies as to age, make it important that limitations other than those now included in the bill be avoided.

The emphasis was all on the difficulty of administration. While General Marshall says that an individual can be trained in less than 12 months, he has indicated that after the basic training has been received he must be given some additional training; that he cannot step from the basic training directly into active combat. That is the policy which the Army has adopted within the past 6 months.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HILL. There is another thing which the Senator must realize. He speaks about the emphasis being placed upon the difficulty of administration. When that letter was written in October 1942, we had been at war for less than a year. We were then in the process of forming and activating new divisions. Nearly all those divisions had to be given anywhere from a year to 18 months of training. So our problem then was different than it is now. That is the reason General Marshall at that time did not lay emphasis on the efficiency of divisions as he does today. The situation was entirely different. The Senator realizes that 2½ years have passed since that letter was written. In the meantime all our divisions have been sent overseas.

Mr. TAFT. For the reasons which the Senator has stated I voted against the proposal to require 12 months' training. But at that time, and at no time since then, has anyone claimed that a man can be properly trained for active combat service in the Army in less than 6 months. I do not believe the Senator can point to any statement made by any responsible official of the Government to the contrary. They have said that at times it was necessary to use men who had not been properly trained; but, so far as I know, neither General Marshall, Secretary of War Stimson, nor any other prominent official of the Government has said up to this time that any man can be trained for the Infantry service in less than 6 months.

Mr. HILL. General Marshall has never said that he had to use men who were not properly trained. He said that there were cases in which he had to use men who had not received a full 6 months of training. But the Senator cannot refer to any statement made by General Marshall in which he said that men had been used in combat service who had not been properly trained.

Mr. TAFT. I read from a letter which I sent to Secretary of War Stimson under date of March 12, 1944:

I quite realize the emergency situation which arose in December, but the letters which I have received appear to show an almost uniform practice of sending 18-year-old replacements directly from the point of debarkation to the front. I wish to ask whether that practice cannot be changed so that young boys sent abroad may have some time and some training with units which are in reserve or behind the line, before they are actually sent into combat. The present practice appears on the surface to be not only unfair to the boys themselves but not very helpful to the units which receive green recruits in the midst of a battle.

I should be obliged for such statement of War Department policy in this regard as you care to give me.

In order to be completely fair, Mr. President, I desire to read the reply which I received from Secretary Stimson under date of March 31, 1944, which states the War Department's case:

DEAR SENATOR TAFT: I have your letter of March 12 regarding the replacement training received by 18-year-olds and suggesting that these men be given additional training

overseas before they arrive in combat areas.

In my statement on the subject to the press on March 1, I mentioned, in passing, that oftentimes the Infantry replacements receive additional training overseas. A copy of the statement is attached for your information. I also am enclosing two additional statements which may provide a further understanding of the steps we have taken to insure proper training for Infantry replacements. You may find of particular interest the attached description of the division reinforcement training center established at the instance of Maj. Gen. Terry Allen. I believe General Allen's comments bear directly upon your suggestion that the 18-year-olds receive additional training overseas.

It seems to me that the Secretary admits in his letter that the military authorities are trying to provide the additional training, that it should be provided, but that in order to be properly trained a man should have some training with his unit overseas after he arrives if his training in this country has been of only 17 weeks' duration.

Secretary Stimson proceeds:

I believe you are aware that our most pressing need from now on will be Infantry replacements. Our monthly calls on Selective Service are 100,000 a month, which is barely enough to provide the necessary number of men physically qualified for Infantry training. Actually, the full monthly quotas for which we have asked have not been provided by the Selective Service System. The reasons for this are numerous. In order to meet our needs Selective Service had to screen and rescreen the remaining manpower in the Nation. Agricultural and industrial deferments have made large manpower blocks unavailable, with the result—and I believe this is not generally understood—that it is unavoidable that the younger age groups must be called and constitute a considerable percentage of those who are called.

Since our most pressing need is for infantrymen, it likewise is absolutely necessary that the majority of the newly inducted men, including those in the younger age group, now enter Infantry training.

In the final analysis, Infantry is the arm which wins battles. Likewise, it is the arm which suffers the heaviest casualties. Infantry bore the brunt of the German offensive in the Ardennes. In order to withstand that offensive it was necessary that infantry be used unstintingly. All available replacements were used to maintain the strength of the infantry units so that the fight could be successfully continued. As a result, the Ardennes offensive failed.

I may say that I do not believe it can be shown that by putting these younger men in without having given them any training there was any material effect on the Ardennes offensive.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. How does the Senator know that the Ardennes offensive did not fail because 18-year-old boys were there to help stop the Germans?

Mr. TAFT. From all the testimony and statements I have heard on the part of the men who took part in the other war, an officer in combat would rather have 20 men with previous training than 80 men without it. I believe that they will say that replacements arriving in the middle of a battle are not of much help to them.

Mr. McMAHON. I cannot understand how the Senator can put his judgment

against that of generals who were on the field of battle, and who have spoken with reference to the necessity of using the troops which were used. The fact remains that with the use of those troops the German offensive was stopped. Our officers did not put anybody into combat who was not needed, and they put everybody in on whom they could lay their hands.

Mr. TAFT. If a unit which had been in reserve had been moved into the active sector, it might have had some effect on the outcome. However, I cannot believe that any military officer will say that the addition of a few raw recruits in the middle of a battle has any actual effect on the result of the conflict. After talking with military men, I am quite willing to place my judgment on that point against that of Secretary Stimson even after he has talked with military men.

Mr. McMAHON. I may say that I would much prefer to accept the judgment of men whom we have charged with the responsibility of leading our forces, than to accept the judgment of the Senator from Ohio upon the necessity of using men who are available.

Mr. TAFT. I have never had any doubt that the Senator would prefer accepting the judgment which he has indicated.

Mr. McMAHON. I am glad the Senator from Ohio has not been disappointed.

Mr. TAFT. Mr. President, it seems fairly obvious that the reason these men were all used, whether it did any good or not, was that the Army had made a gross miscalculation as to the number of infantrymen who were required. They have not trained enough infantrymen from the beginning, and they got themselves into a hole, it is true. I do not think there would have been any difference if we had placed the year's training requirement or the 6 months' training requirement in the law.

Mr. CHANDLER. Mr. President, I think the Senator from Ohio is absolutely correct in that statement. When the Army makes a mistake, there is no Senator or citizen of the country who does not regret it, and we do not want to magnify it and call attention to it, because really that will not do any good. But they did make a mistake as to the number of infantrymen required, and they had to take men out of the Air Corps and put them into the Infantry in order to get a sufficient number. That might not have been true except for the fact that our brave allies, who fought long and hard, did not have the men to put into the offensive, and we had to supply a great number of men in the actual fighting.

I do not wish to go along with those who insist that the Army and the generals never make mistakes, because they do make mistakes, just as the rest of us do. The American people are deeply concerned, because when the generals make mistakes, the American people have to pay for them with the lives of their sons.

Mr. TAFT. I thank the Senator, and agree with him.

Mr. AIKEN. Mr. President, I did not hear the first part of the letter of the

Secretary of War. Does the Secretary of War in his letter say anything about the almost complete break-down of our intelligence service, which permitted the enemy to bring up a large army unobserved, and effect the Ardennes breakthrough?

Mr. TAFT. No; that is not discussed. I now proceed with the letter, Mr. President:

Our field commanders realize far better than anyone else that a replacement who has received additional training in a quiet sector or in a reserve unit is better than a replacement who has not.

That seems to me a perfectly clear statement, that we would be better off if these men did have 6 months' training, or even longer, so far as that is concerned.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CHANDLER. The Senator from Ohio has referred to what happened in the last war. According to the Baker report, every American soldier who went overseas—and there were more than 2,000,000, about 2,050,000, in fact—had 6 months' training before he went overseas. Then those soldiers had 2 months' additional training, and went into a quiet sector before they went into the line. The service seemed to have been better organized than it is at this time, even though we have sent 5,150,000 men overseas, according to the report made in February.

Mr. TAFT. I think it is clear that everyone agrees that the training is necessary. The Secretary's real answer is this:

Unfortunately, during the past several months we have had few reserve units and fewer quiet sectors. Our field commanders have had no choice but to employ every means at their disposal, including replacements newly arrived. To forbid them to use all the means available in grave emergencies or when swift exploitation may mean great success would contravene every precept of successful military operations. Actually, our field commanders have generally followed the practice of giving replacements additional training in the theaters before they are committed to battle. This was true in Tunisia and Italy, and is true when circumstances permit, in the active theaters today. Various reports from the European theater indicate that such training, when it can be given, is thorough and good. You will note the intensiveness of the program in the attached comments of General Allen. Another example is a recent report from the Mediterranean theater which states that divisions in the Fifth Army have an assigned overstrength of 5,000 men which was deliberately ordered so that future replacements for those divisions might be provided the additional training to which you refer.

It must always be borne in mind in time of war, however, that emergencies, which are the rule and not the exception, will at times prevent such training overseas, and in such cases our commanders must not be hampered by arbitrary restrictions. They must be allowed to use all means under their control in the manner in which their best judgment dictates.

Our opposition to the statutory training restriction to which you refer was not based solely upon our desire to avoid administrative difficulties involved in the retention of young soldiers for specified periods in the United States. This played a part, of course,

since the administrative difficulties would have been enormous. Our greatest concern was derived from our knowledge that recurrent, urgent needs would develop for additional manpower during emergencies unavoidable in war. These emergencies have occurred. This is now the peak of our national effort, and we are straining our entire replacement system in an effort to meet the manpower demands overseas. There doubtless would have been catastrophic results had our hands been tied by a statutory restriction during these past critical months.

Mr. President, I think Secretary Stimson makes the strongest statement that can be made, but it does not convince me. In the first place, he admits the soldiers should have this training if we want them to be good fighters. It does not convince me, because I believe very strongly that if the Army were properly organized, if they had had in the statute in the beginning this provision, the 6 months' restriction, no boys would have been sent abroad before they had been in the Army 6 months, we would not have cut down the 17 months, and we would have found the necessary replacements among the 1,400,000 men who, the Secretary said on March 30, were in this country marked for shipment overseas, ready, almost, to go overseas, men of all ages, so that, so far as I can see, it was completely unnecessary to send the 18-year-old boys overseas in order to provide the replacements. It is perfectly clear to me that they did not need to go, that the Army did not have to have them under the circumstances, and that there was no tremendous emergency which required that, except that they happened to be the men at that particular point at that time.

So far as I know, I have never received a letter indicating that any boy had gone into combat in the Pacific area with less than 6 months training. There have been boys in the Atlantic area shipped abroad after 4 or 5 months, but so far as I know, I have received no letter stating that any boy was injured in 6 months, or even 8 months, from the time he was inducted and sent to the Pacific area. I see no reason why that policy cannot be established in the European theater. If there was a crisis, the crisis is over; and the amendment provides no serious restriction.

The marines get combat training at home. They are taken to California and spend 2 or 3 or 4 months practicing landing on various islands which have been set aside for that purpose. There is no reason I can see why soldiers cannot be treated in the same way in some combat training in the United States, even if there are not any activated divisions.

Certainly we are not asking anything unusual when we ask that a man shall have at least 6 months' training before he is actually sent into combat service. I do not believe any Army officer will say that a man sent in without 6 months' training is adequately trained for the combat service to which we are sending him. It is not fair to him, it is not fair to the unit. If properly organized in advance, any intelligent policy should require that the men who actually go into battle be adequately trained for the task they are sent to perform.

COMMITTEE TO INVESTIGATE ATROCITIES IN EUROPE

Mr. HILL. Mr. President, I submit a resolution and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The clerk will read the resolution.

The legislative clerk read as follows:

Whereas General of the Army Dwight D. Eisenhower, Supreme Commander of the Allied Expeditionary Forces in Europe, requested by radio on April 19, 1945, that Members of Congress go to Europe for personal inspection of the conditions of unspeakable horror at Nazi concentration camps for political prisoners;

Whereas, in response to the invitation of the War Department that six Members of the Senate go to Europe in accordance with the request of General Eisenhower, the following Members of the Senate have gone to Europe: The Senator from Kentucky, Mr. BARKLEY; the Senator from Georgia, Mr. GEORGE; the Senator from Utah, Mr. THOMAS; the Senator from Illinois, Mr. BROOKS; the Senator from Nebraska, Mr. WHERRY; and the Senator from Massachusetts, Mr. SALTONSTALL; and

Whereas it is important that the Senate have an official and permanent record concerning the conditions in such camps and concerning the treatment otherwise accorded by the Germans, and their allies in Europe, during the present war to political prisoners and to other civilians in the areas occupied by them: Therefore be it

Resolved, That the Members of Senate above-named are hereby constituted a committee of the Senate; and such committee is hereby authorized and directed to make a study and investigation with respect to the treatment accorded by the Germans, and their allies in Europe, during the present war to political prisoners and to other civilians in the areas occupied by them. The committee shall report to the Senate from time to time the results of its study and investigation, together with such recommendations as it deems advisable.

Mr. WHITE. Mr. President, at this time I am compelled to object to the request for present consideration of the resolution.

Mr. HILL. Mr. President, will the Senator withhold his objection for a moment?

Mr. WHITE. Yes.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I shall vote for the resolution if it comes to a vote. However, I think it is a bad precedent for Members individually to appoint what afterwards turns out to be a Senate committee, and then after the committee is appointed, initiate the formal proceedings and make the committee an entity of the Senate. Some time ago four or five Senators were selected and became an entity of the Senate, and went around the world, without really any Senate action. I think members of the Foreign Relations Committee without regard to seniority, who were deserving of support when momentous events were taking place, have been overlooked in some cases. Hereafter, I think the Senate would be wise if it were to discontinue the practice of having these committees which are self-appointed in the name of the Senate.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HATCH. I certainly feel at liberty to reply to the Senator from Maryland on this question, because it was upon my suggestion earlier today, perhaps inadvertently made, that the resolution was drafted.

Mr. TYDINGS. I think the resolution is a good one.

Mr. HATCH. I think so too. I wish to say in behalf of the Senate of the United States and the Members who have gone overseas, that I know personally that the majority leader, the Senator from Kentucky [Mr. BARKLEY] went overseas against his wishes, against every personal claim a man might have. I do not want to go into the personal matters. If it is insisted upon, I will do so. I wish to say with respect to the Senator from Georgia [Mr. GEORGE] that there never has been a braver man in the Senate of the United States than he. If Senators want me to go into details about him I will do so.

Mr. TYDINGS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. TYDINGS. I have no disposition to asperse the Senator from Georgia or the Senator from Kentucky or any other member of the committee. I am calling attention not to the character of its personnel, but to the manner of its appointment. I do not like to have a committee appointed after it has left the country on official business as the committee of the Senate. That ought to precede its departure if it is to represent the Senate. Otherwise they go as individuals and not as representatives of this body.

I am not criticizing in the slightest way any member of the committee. I grant that a better committee could not have been selected. The point I make is that it ought to have been appointed by the Chair or selected by some committee in pursuance of a resolution adopted, and not by one-man procedure.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HATCH. I wish to add one further thought. I was very earnest about this matter earlier today because I knew something about the conditions under which these Senators went overseas. I do not agree and never have agreed to any department of Government appointing any Member of the Senate of the United States upon a committee. But I know the emergency which arose, and the conditions under which these Senators went to Europe. As servants of the Senate they went at their own personal sacrifice.

Mr. President, I say that in now adopting the resolution, thus ordering the Senators to go and giving them authority, the Senate honors itself, whereas if it rejects the resolution or if objection is made to its consideration, the Senate dishonors itself and dishonors its own representatives.

Mr. WHITE. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. WHITE. The Senator from New Mexico has used harsh language.

Mr. HATCH. No, Mr. President.

Mr. WHITE. The Senator has used harsh language both with respect to whatever the Senator from Kentucky did and with respect to my participation in the action.

Mr. HATCH. Did I use harsh language?

Mr. WHITE. Mr. President, we have been using language rather loosely here. We have talked about a committee, but I want to assure the Senate that the Senator from Kentucky [Mr. BARKLEY] knows what his authority is, and he knows the limitations of his authority. He knows that without Senate authority he could not appoint a committee of the Senate or a subcommittee of the Senate. Difficult as some may find it to believe, I have been a Member of the Congress long enough to know that I could not name a committee of the Senate or members of a committee.

What we have done in fact is to recommend Members of this body to go as a group to Germany. They have not been named officially as a committee of this body. Neither the Senator from Kentucky nor the Senator from Maine would presume to claim to have such authority or, if they had such authority, would presume to act upon it.

Mr. President, let me say a further word. I objected to the consideration of the resolution largely because of the interest taken in the matter by the Senator from Wisconsin [Mr. LA FOLLETTE]. So far as I personally am concerned, I have no substantial objection to the resolution itself. I simply feel that after the act has been done, after the men have been recommended to the War Department by the majority leader and by me, after they have gone, and are now on foreign soil, I think adoption of the resolution is rather an unnecessary act. I know of nothing that it accomplishes. I think the Senators who are now abroad at the solicitation of the War Department, and who went, as the Senator from New Mexico has said, with great reluctance on their part—and I affirm that statement without reservation, for I do not know of a single one of the six Senators who did not agree to go with this group with the very greatest reluctance—I think they have been subjected to a vote of censure if we adopt the resolution. They are overseas. They are on the ground. By this time they probably have undertaken and have made the kind of survey for which they were invited to go overseas. If I had my way I would leave the matter right there.

I have objected to consideration of the resolution for the time being, because, as I said, the Senator from Wisconsin has expressed great interest in it. Whether he would pursue the matter beyond the present objection I do not know. I do not want to, but I am not going to consent to the disposition of this matter in the absence of the Senator from Wisconsin.

Mr. HILL. Mr. President, I wish to say in connection with the resolution that a good many Senators have spoken to me today expressing very strongly the feeling that since this committee, or this group of Senators, perhaps I should say, has gone overseas because of

an urgent request from General Eisenhower, the commanding general of our armed forces in Europe, to make this very important and historic investigation, it ought to be a committee of the Senate, it ought to have the added strength, shall I say, which it would have as a committee of the Senate, so that the report which it might make will be the report of a committee of the Senate, and be made to the Senate, rather than for the Senators to go simply as individuals, so to speak, who accepted an invitation from the War Department, and report as individuals.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHANDLER. I intended to support the Senator's regulation. Why does the Senator think the Senator from Kentucky introduced his resolution today? I was not a party to the appointments, and I regret that some consideration was not given to the attempt which I made to place the action on a basis which could be justified.

With respect to the only trips of this nature which I have taken, one was authorized by the Senate, and the other was authorized by my committee. I believe that if a committee authorizes a Senator to make a trip, and he can make the necessary arrangements, it is none of the business of the Senate, if he is traveling on committee business. I believe that the committee has sufficient authority.

I am sorry that the acting majority leader and other Senators who cooperated with him did not accept the resolution which I offered in good faith. I said it was not competitive. The resolution provided for representatives of the Senate and of the House. If the Senator intends to press his resolution, I will support it. However, I believe that the Senate might have given more consideration to the honest and faithful attempt on my part to deal with the situation satisfactorily.

Mr. HILL. As I stated to the distinguished Senator from Kentucky, I find myself very much in sympathy with his resolution. As I understood his resolution, it would establish what we might call a permanent commission on war crimes.

Mr. CHANDLER. Those who are over there now could have been members.

Mr. HILL. The members were to have been appointed by the President of the United States. The resolution provided for certain personnel, and covered a field perhaps not at all covered by the group which has now gone to Europe.

Mr. CHANDLER. I believe that the problem could have been worked out.

Mr. HILL. I think it can be worked out.

Mr. CHANDLER. I wish the Senator would undertake to do it.

Mr. HILL. I felt that if we were to establish a permanent commission, more consideration should be given to the question.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHITE. The whole situation is most embarrassing to me, because I can-

not miss the plain implication of some of the things which have been said. I wish to add the suggestion that we let this question go over until tomorrow. So far as I am concerned, when tomorrow comes I shall not interpose objection to consideration of the resolution, although I believe it to be unwise.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. STEWART. I should like to make an observation about the situation. As I understand, last Saturday morning—or perhaps Friday night—an urgent message was received from General Eisenhower, requesting that 12 men be sent from the Membership of both Houses of the Congress to view what he described as conditions of inhumanity, and so forth, in Germany which were beyond any description which had been sent here by the newspapers. He asked that those men come at once, in order that they might view the situation firsthand. He stated that certain things were being held in status quo until they could arrive. There were some things that could not be delayed very long. So time was of the essence. Time was an element which had to be taken into consideration.

If those men had waited until today, when the Senate and House convened, so that Members of the committee could be selected by the two Houses, a full day, a day and a half, or perhaps even two full days of valuable time would have been lost. The request came from General Eisenhower, the commander in chief of the forces in the European area. I think it was well responded to. Whom should the War Department contact to have this request complied with, other than the leaders in the House and Senate?

The question is whether we shall approve what Senate and House leaders did in our absence, so to speak. So far as I am concerned, I would not want the Senate to vote as to whether or not I should go over there. I would not want to make the trip. I believe that the right men went. Other men just as well qualified could have been selected. But it was a matter of acting in an emergency, and using the best discretion. I believe that we should ratify and confirm, without criticism, what has been done.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. Is it not possible that this resolution can be printed and passed over until tomorrow? It is apparent from the wording of the resolution that the request came from General Eisenhower on last Thursday. It could have been brought to the attention of both Houses on Friday. Just why that was not done, I do not know. I do not know that anyone else knows. But it seems to me that there is a great deal in what the Senator from Maine has said. Passing a resolution of this nature after the committee has already departed might be regarded more as a reprimand than as a grant of authority.

I have no desire to censure Members of the Senate who have gone on the trip. I believe that the War Department is

subject to censure. In the first place, I believe that the appointment of a congressional committee should be announced by someone in authority in Congress, and not by the War Department, as I understand was done. Neither do I understand the reason why the War Department hand-picked 15 or 20 publishers and editors to take over there, when, as I understand, several hundred representatives of American newspapers are already on the ground. The whole thing has an air of mystery about it, from the time the message from General Eisenhower was received on Thursday up to the present moment. It seems to me that passing this resolution might be considered complimentary, or it might not be considered complimentary to the committee. I should like to think it over before voting on it.

Mr. HILL. Mr. President, after the distinguished Senator from Maine made the statement which he did, namely, that he did not wish to agree to the resolution at this time in the absence of the distinguished Senator from Wisconsin, it was my intention to withdraw my request. A number of Senators were on their feet asking me to yield. I did not wish to be discourteous to them and deprive them of the opportunity to ask questions. That is the reason why I did not immediately withdraw the resolution. But, Mr. President, in view of what the Senator from Maine has said, I withdraw the resolution temporarily.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I wish to make it perfectly plain, lest there be any misunderstanding, that I am not making my point because of any personal desire I might have in connection with this trip, because frankly it would have been impossible for me to go. I would not have wanted to be invited to go, because I might have felt that it was my duty to go, even though it would have involved very great inconvenience.

Furthermore, I should like to point out at the risk of reiteration, that I am not reflecting on the membership of the Senate or on the majority leader or minority leader in dealing with what they might have considered to be an emergency. However, I am most emphatically and unrelentingly protesting the appointment of a committee *ex post facto*. I do not think it is a wise policy for the Senate to adopt. If we are to have standing committees or special committees, they should be created in the regular manner. I can well appreciate that the leaders on both sides acted in an emergency on what they considered to be a very difficult problem, and I do not intend any personal criticism. However, the establishment of the committee in the way in which it has been done might be considered a precedent. I wish to register my personal protest against it being considered a precedent. So far as I am concerned, it will not be a precedent.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DONNELL. Like other Senators, I desire it to be distinctly understood that nothing I shall say in the few minutes

I shall occupy is intended to be, or is in the slightest degree a reflection upon the men who were delegated to go upon this highly important mission. In the first place, my judgment is that, even though this resolution has been withdrawn, in view of the observations which have been made, it is well to point out that there is no need for it, and that there would have been ample justification for its rejection, had it been considered by the Senate. The delegation which has gone forth needs no authority from this body to make the examination which is proposed to be made. It will derive its authority, obviously, from the War Department—from the Army—and it is not necessary that it be clothed with any indicium of authority from the Senate in order to carry out that highly important mission. It seems to me that before undertaking either to adopt or reject or otherwise determine what should be done with a resolution such as that proposed by the Senator from Alabama, the Members of the Senate should make a thorough determination of the facts surrounding the selection of the members of the delegation. I also desire that nothing which I have said or which I shall say shall be regarded as the slightest reflection on the majority leader or the minority leader, as the minority leader will well realize in just a moment. It seems to me that there might be a situation under which we might take action along the lines of that proposed by the Senator from Alabama. For instance, if there were an immediate emergency which arose after a Friday recess of the Senate, and if the majority leader and minority leader then acted in good faith, as they undoubtedly did in the present case, and if the selection thus were made, I can see very strong reason for the adoption of some such resolution, if there was any affirmative need to clothe the members of the delegation with authority.

I return to the statement that I think there is no need whatsoever for the resolution; but I realize that there might be such an emergency situation so that it might be necessary or desirable to clothe the committee with some such authority. I am not certain about the timing of the situation, and I doubt very much whether the other Members of the Senate are. I understood the Senator from Vermont to say that the message from General Eisenhower or some word from him had come, not on Friday, but on Thursday. I understood our minority leader—and I have no doubt of the correctness of what he said—to say that the word came from General Eisenhower on Friday afternoon. The Senate was in session Friday afternoon. I have not heard any statement as to whether the news came to the majority leader and the minority leader before the recess was taken or after it was taken. On the one hand, I say that if there was a condition of emergency which arose after the recess was taken, I can well understand how it would be entirely proper for our body this afternoon to act upon a resolution designed to clothe the committee with authority, although even then I fail to see any necessity for such authority. On the other

hand, if the War Department could have given the Senate the right to select the committee before the taking of the recess on Friday afternoon, but if it failed to do so, in my judgment we should not under any circumstances adopt this delegation as an official delegation of the Senate of the United States.

As I view the situation, more than this immediate incident is involved. To my mind a very important principle is involved, one to which the distinguished Senator from Oregon [Mr. MORSE] referred earlier today, namely, establishing the precedent that the War Department itself, a branch of the executive department of the Government, may undertake to select the representatives of the legislative department who shall represent it or shall make the investigation to which reference has been made. To my mind, the situation involves a danger in respect to having the executive departments or agencies of the Government ignore the Senate. If the fact is that the War Department had no opportunity to make the situation known to us before the recess was taken on Friday, but failed to do so, the situation involves the danger of establishing a precedent for the War Department to select two Members of our body, regardless of however outstanding they are or whatever position they occupy, to make an investigation for the Senate of the United States.

Therefore, I think it is very important in connection with this matter to ascertain when the War Department received the news of the desire of General Eisenhower to have such a delegation sent abroad, whether the news was communicated to any Member of the Senate before or after the recess was taken on Friday, whether the War Department suggested that the selection be made by the majority and minority leaders of our body, and whether the War Department suggested, perchance, who should be on the delegation, or any portion of the membership of the delegation.

So, Mr. President, I rise at this time to state that, in my opinion, it was appropriate that the resolution be withdrawn. To my mind there is no need for it; in the second place, I believe we are in the possession of vastly insufficient facts to enable us to form a judgment in regard to the matter; and in the third place, a situation such as the one I described a moment ago may exist, in which case it would be a dangerous and improper precedent to have a branch of the executive department of the Government select the Members or Representatives of the legislative department of Government who would undertake to speak for the Members of this body, or who at least would be considered as having the right to do so.

So, Mr. President, I am very happy that the resolution has been withdrawn.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. I simply wish to say that the resolution offered by the Senator from Alabama states that on April 19 an urgent message was received from General Eisenhower. That was Thursday. So it would appear that the War

Department could have consulted with the leaders of the Senate before the Senate took a recess on Friday afternoon, had the War Department been so minded.

For that reason, it appears to me that if anyone is subject to censure, it is not the Members of the Senate, who have gone in performance of their duties as they see them, but it is the War Department, for its failure to consult with the Senate before selecting the Members of the delegation.

Mr. LA FOLLETTE. Mr. President, I was unavoidably absent from the Capitol Building for a few minutes. I understood that my name came into the discussion. It was reported to me that the able senior Senator from Maine said he could not agree to submission or consideration of the resolution in my absence. Inasmuch as my name has been mentioned, I think perhaps I should state very briefly my position on this matter. Perhaps I am now reaping the appropriate penalties for having offered some unsolicited advice to both the minority leader and the acting majority leader. I emphasize that it was unsolicited; but it seemed to me that under the circumstances under which the committee was selected, the committee was properly selected and it could perform all the functions desired by General Eisenhower and the War Department; and so far as I was personally concerned, I felt that a very able personnel and a properly-selected personnel from both sides of the aisle had been chosen; but it seemed to me that it was not possible by retroactive action to change the character of the committee.

The only unsolicited advice I offered was that no resolution should be adopted, in view of the fact that other Senators had earlier in the day indicated that they did not think such action would be taken. I took that position because obviously the objection of a single Senator would prevent even the submission of the resolution until there had been an adjournment of the Senate. So it seemed to me, in view of the obvious importance of the mission of the committee, that it would be a mistake to have the Senate spend 2 or 3 days in debate on the status of the Members of the committee, because their status has nothing to do, so far as I can see, with the mission upon which they are now embarked.

I hope the debate which has occurred here today will not in any wise result in a misunderstanding by the people of the country or by the Senators in question regarding the attitude of their colleagues in this body.

Therefore, Mr. President, I feel that we should let this matter rest. The committee, as an unofficial committee of representative Senators, was properly selected in the usual manner; and able men, in whom the Senate has full confidence, I feel, have gone upon this mission. It seems to me that we should not continue to debate a technical situation which in no wise can either add to or detract from the important mission upon which they are embarked.

It was only for the reason that my name had been mentioned that I wished, for my own satisfaction, to state my own position, perhaps at the risk of paying

the penalty visited upon those who rush in where angels fear to tread.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I wish to add a few words to what I have already said.

I think the Senator from Maine [Mr. WHITE] said that the Senator from New Mexico had spoken rather harshly concerning the action of the acting majority leader and the acting minority leader. I did not do so.

Mr. WHITE. Mr. President, I did not refer to the acting majority leader or the acting minority leader, but the majority leader and the minority leader. I thought there was a tone of castigation in the Senator's voice.

Mr. HATCH. I assure the Senator from Maine that nothing of the kind was intended. Mr. President, I approve the action of the minority leader and the action of the majority leader. Earlier in the day I stated that I approved the choice of the committee which had been made. I did not wish to speak for the Republican side of the Chamber, and perhaps I did not pay as high a compliment to the Members on that side as I did to the Members on this side. I thought the Members on the other side could speak for themselves.

Mr. WHITE. If the Senator from Alabama will yield, I will speak of the attainments of the minority members of the committee.

Mr. HATCH. I did say that in my opinion they were well chosen. However, I pointed out that on this side of the Chamber a better group could not have been selected to go from the Democratic side of the Senate than was selected. I reaffirm that statement of belief.

Mr. President, I had no criticism to make of anyone. I knew these Members were embarking on what was perhaps a perilous, unpleasant, and disagreeable task. They were taking the journey in response to what they thought were the demands of the commander in chief in the European theater of the war, General Eisenhower. I approved it. I was utterly surprised and dumbfounded—in fact, I was dismayed when I came onto the floor of the Senate today and heard the quibbling which was taking place in regard to this matter. I thought that this great body should have arisen as one man, endorsed the selection of the committee, and said that it is our committee, that we would back our majority leader and our minority leader in the selection of the men who were on their way abroad at the risk, perhaps, of their lives in the performance of a most disagreeable duty.

Mr. President, apparently that was a very naive thought for me to entertain. I have been a Member of the Senate for 12 years, and I thought I understood the Senate. But I do not understand it. At least, I do not understand why any Member should object to this resolution—with all due respect to my friend the Senator from Wisconsin [Mr. LA FOLLETTE]—when already the authority and the right of this committee to make the trip has been detracted from by the re-

marks made here on the floor of the Senate. We are now meekly sitting down and saying, "Let the detractors detract." Very well. If that be the will of the Senate, I have nothing else to say except that, as one Member of the Senate, I approve this resolution—it is my resolution, I may say—wholeheartedly. The request was made by General Eisenhower for a committee of Congress to visit the European theater and observe for themselves the terrible and awful things which have been taking place with reference to the treatment of American soldiers. I approve his request. That is my resolution.

I approve the action of the majority leader and the minority leader in selecting the committee which was selected to represent this body. I am not saying anything about the other House. That side of the Capitol does its own work. But, so far as I am concerned, I give full authority to this committee to do the work which has been laid out for it to do. Other Senators may do as they wish.

Mr. President, the Senate may stand on its prerogatives. Once a distinguished President of the United States said—well, I shall not now quote what he said, but shall do so on another occasion. However, Mr. President, I am not interested in technicalities. Never would I consent for 1 moment to the War Department, the Interior Department, or any other Department of the Government, selecting as a committee any Members of this body. It just happened that an emergency situation arose, and the Senate leaders met it in the best possible way, a way which is not open to objection or to exception.

I assume full responsibility, I may say to the Senator from Alabama, and I urged him to submit his resolution. It is a resolution of confidence with respect to our own colleagues. I told the Senator that if he did not submit it I would, and I would have done so. I am willing to do it now. The Senator has withdrawn it for the day. That is his privilege.

Mr. HILL. The Senator recognizes, of course, that we cannot obtain action on a resolution of this nature at the present time without unanimous consent.

Mr. HATCH. I so understand.

Mr. HILL. I wish to say to the Senator from New Mexico that he has voiced absolutely my sentiments in this matter. Here was the commander in chief of our armies in Europe, who had found a situation there of such consequence and of such importance that he felt that a committee of representative Senators should come there and observe the situation with their own eyes. He cabled to the War Department asking that such a committee come immediately. We know why he said "immediately". It was because the conditions in those concentration camps are so horrible that death will wipe out much of that evidence of horror within the next few hours of time. If the committee were to see the situation in its true light and be in position to bring back to the Congress and to the people of America a true report and an accurate picture of what the situation is in those prison camps, it was necessary for the committee not to hesitate, not to delay, but to go immediately.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I shall yield in a moment.

Mr. HATCH. I had not finished my remarks.

Mr. HILL. Because of the urgent request and insistence on the part of the War Department that the committee be appointed, and that it go abroad immediately the selections were made and the committee departed. As the Senator from New Mexico has well said, the members of the committee went contrary to their own personal wishes, contrary to their personal welfare, we may say, and contrary to what they wished to do. They felt that a situation of this kind, of such importance and consequence to the country and to the future of the Nation, should be attended to immediately, and they accepted the appointments. They put aside their personal feelings their personal desires, their own comfort and wishes in the matter, and departed for Europe. They had no time to stop to debate, to call meetings of Senators and to consult them. Perhaps, although I am sure, from what the Senator from Maine said this morning, he consulted with as many Senators on his side of the aisle as he could, and I am sure the distinguished majority leader, although I was not in the city at the time, consulted with those who were available on this side of the aisle.

Now these Senators have gone to perform a duty for our country. They have gone to answer an urgent call from the commander of our forces in Germany, and certainly nothing should go out from this body which would carry to the American people, to our allies, or to others across the seas, the intimation that anyone on this floor is in any way critical of the fact that these Senators have gone, or does not realize the importance of the mission on which they are engaged, or the necessity for their going, and it should not go out that we do not send with them the best wishes of every Member of this body for the success of their mission.

Mr. HATCH. Mr. President I had not quite concluded.

Mr. MAGNUSON. Mr. President—The PRESIDENT pro tempore. The Senator from Alabama has the floor. To whom does he yield?

Mr. HATCH. I do not yield for any purpose right now.

The PRESIDENT pro tempore. The Senator from Alabama has the floor.

Mr. HATCH. He yielded to me.

The PRESIDING OFFICER. The Senator has not yielded to anyone. To whom does the Senator yield?

Mr. HILL. I yield to the Senator from New Mexico, and I am sure he will make his remarks brief.

Mr. HATCH. Mr. President, I thought the Senator from Alabama had yielded to me. I am sorry if I misunderstood him.

The only thing I desired to add was that when I expressed my own personal opinion—and I said it was merely one Senator speaking—I wanted the word to go out to the nations of the world that I know whereof I speak, in expressing my confidence in this committee of the Sen-

ate of the United States, when I say I speak not one voice, and I do not speak for a majority of the Senate, but I venture to say I speak for at least three-fourths of the Senate of the United States, and if these Senators had a chance, they would speak by their votes a similar voice.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Bernard J. Flynn, of Maryland, to be United States attorney for the district of Maryland; and

W. Bruce Matthews, of Maryland, for appointment as United States marshal for the District of Columbia, vice John B. Colpoys, deceased.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Leon O. Boling, to be postmaster at McCleary, Wash.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HILL. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. HILL. I ask unanimous consent that the Navy nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Navy nominations are confirmed en bloc.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. HILL. I ask unanimous consent that the Marine Corps nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. HILL. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 44 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, April 24, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 23 (legislative day of April 16), 1945:

Capt. Carl F. Holden, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 10th day of August 1943.

Capt. Edwin T. Short, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Samuel P. Jenkins, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Alexander S. Wotherspoon, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Harvey E. Overesch, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Hawaiian Sea Frontier, and until reporting for other permanent duty.

Capt. Richard W. Bates, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, motor torpedo boat squadrons, United States Pacific Fleet, and until reporting for other permanent duty.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 23 (legislative day of April 16), 1945:

IN THE NAVY

APPOINTMENTS IN THE NAVY

Clyde B. Camerer to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as district medical officer, Fourteenth Naval District.

William W. Warlick to be a commodore in the Navy, for temporary service, to continue while serving on the staff (logistics) of the commander in chief, United States Pacific Fleet and Pacific Ocean areas, and until reporting for other permanent duty.

Ruthven E. Libby to be a commodore in the Navy, for temporary service, to continue while serving as senior naval member of the Joint War Plans Committee, and until reporting for other permanent duty.

IN THE MARINE CORPS

APPOINTMENTS IN THE REGULAR CORPS

To be second lieutenants

Walter R. Bartosh John R. Fields
Robert E. Johnson Wilcie A. O'Bannon
Thomas J. Cushman, William R. Morrison
Jr.

POSTMASTERS

MISSISSIPPI

Ola B. Jones, Crowder.
Leonard B. Robinson, Moss Point.
Sam Ben Hudnall, Porterville.

NEW YORK

George E. Hlavac, Bohemia.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 23, 1945

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, offered the following prayer:

Most merciful and gracious God, Thou knowest the deepest yearning of our hearts. We are earnestly and penitently waiting for the glad tidings that the armed forces of evil have been conquered and that the war lords who defiantly walked the iron highway of destruction and death have been forever driven from their bloody thrones.

Grant that we may prove worthy of military conquest by accepting the challenge to achieve that glorious spiritual victory when men everywhere shall clasp hands in friendship and find their security, not in weapons of warfare but in implements of welfare.

We are praying especially for those representatives of our beloved country who are soon to share in planning for a just and durable peace. Gird them with clear minds and courageous hearts; as the ambassadors of a Christian nation, may they not be afraid to match the demands of the most tangled and difficult problem with the claims of the spirit of the Prince of Peace, who came to rule the world with the scepter of justice, righteousness, and love.

Hear us in His name. Amen.

The Journal of the proceedings of Thursday, April 19, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment concurrent resolution of the House of the following title:

H. Con. Res. 43. Concurrent resolution authorizing the printing of additional copies of House Document No. 143, current session, entitled "Further Prosecution of the War," an address of the President of the United States.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 105. An act to extend the life of the Smaller War Plants Corporation.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2689. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes.

The message also announced that the Senate insists upon its amendments to

the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. THOMAS of Oklahoma, Mr. GURNEY, Mr. REED, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 1567) entitled "An act for the relief of Katherine Smith," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON of South Carolina, Mr. TUNNELL, and Mr. WILSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1307) entitled "An act for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc.," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. TAYLOR, and Mr. WILEY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 209) entitled "An act for the relief of David B. Smith"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. O'DANIEL, and Mr. MORSE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in Act 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agency:

1. Department of Agriculture.
2. Department of the Navy.
3. Department of War.
4. Selective Service System.

GERMAN ATROCITIES

The SPEAKER. The Chair desires to announce that on Friday last representatives of the War Department came to the office of the Speaker bearing a message from General Eisenhower that the atrocities in Europe were of such a nature

that no one could comprehend them unless they were seen, and suggesting that six Members of the Senate and six Members of the House be appointed as a committee, joined by a number of editors of the country, to visit the prison camps in Germany.

Pursuant to that suggestion, the Chair did on Saturday last appoint the following Members of the House to that committee: Messrs. THOMASON, RICHARDS, IZAC, SHORT, MOTT, and VORYS of Ohio.

Without objection, the above-named Members will be granted a leave of absence for 2 weeks.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from South Dakota [Mr. MUNDT] may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ZIMMERMAN asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Legislature of the State of Missouri pledging its support and the support of the people of Missouri to our new President.

Mr. KOPPLEMANN asked and was given permission to extend his remarks in the RECORD in two instances and to include in one an address he delivered over the radio yesterday and in the other an editorial from the Hartford Times.

INDEPENDENT OFFICES APPROPRIATION BILL, 1946

Mr. WOODRUM of Virginia submitted a conference report and statement on the bill (H. R. 1984) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes.

Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, many Members of the House have expressed an interest in when the conference report on the independent offices appropriation bill will be called up. May I ask the gentleman from Massachusetts if he can indicate when it will be agreeable to permit us to call it up?

Mr. McCORMACK. It will be the first order of legislative business on Wednesday. A resolution has been agreed to setting aside tomorrow for the observance of Pan-American Day, and no other business will be transacted tomorrow.

Mr. WOODRUM of Virginia. I thank the gentleman. I may say that this con-

ference report is not controversial, so far as I know.

LEAVE OF ABSENCE

Mr. KOPPLEMANN. Mr. Speaker, I have news of the birth of a daughter to our distinguished colleague the gentleman from Connecticut [Mr. RYTER]. I understand that the mother is doing well, but from the information I have the father may take 10 days to recover. I ask unanimous consent that he be granted leave of absence for 10 days.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

TEXAS A. & M.'S PART IN THE WAR

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. LUTHER A. JOHNSON addressed the House. His remarks appear in the Appendix.]

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1946

Mr. TARVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER appointed as conferees Messrs. TARVER, CANNON of Missouri, SHEPPARD, WHITTEN, PLUMLEY, H. CARL ANDERSEN, and HORAN.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an editorial in the Floyd County Times on the life of our late President, Franklin Delano Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940 and for other purposes, with Senate amendments thereto, and ask that the same be referred to the Committee on Military Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to include in the

Appendix of the RECORD a radio address which President Roosevelt intended to make at the Jefferson Day dinner.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I also ask unanimous consent to extend my remarks in the Appendix of the RECORD by including therein remarks made by Governor Tobin, of Massachusetts, as well as a proclamation issued by him.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include a memorial adopted by the Department of Agriculture Club in Dallas on the death of our late President.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 106) to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"In carrying out the provisions of this subsection, the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board: *Provided*, That no registrant who is qualified to serve in the armed forces shall be deprived thereby of the right to volunteer for such service."

Mr. MICHENER. Mr. Speaker, reserving the right to object, that is the Flannagan resolution as it passed the House, slightly modified?

Mr. MAY. That is right.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendment was agreed to. A motion to reconsider was laid on the table.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WAR CRIMES COMMITTEE

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I have today introduced a House concurrent resolution for the appointment of a special Congressional War Crimes Committee. There is a vital need for such a committee. General Eisenhower's request for Congressmen and newsmen to view the horrors of German concentration camps were an exceedingly wise and proper one insofar as it goes. However, these inspections touch only a part of the problem. The committee proposed by me should do two things in general: First, see that necessary legislation is reported and passed to compel the full and swift punishment of war criminals; second, collect and publish an authentic official report of war crimes and atrocities.

We know that most German nationals now have no feeling of guilt, and disbelieve the reports of Nazi barbarism. In time many people in this country who now view the pictures and daily accounts of torture will forget them entirely or discount them as propaganda. We must see that history does not repeat itself in the nonpunishment of war criminals or in failure to preserve and publicize authentic records of war crimes.

An Associated Press report of yesterday quotes Lord Wright, chairman of the British War Crimes Commission, as saying his group has no actual investigative authority, but acts only on reports filed with them by national governments. Such is largely true of the War Crimes Commission in this country. Everybody's business is nobody's business.

The barbarous March of Death perpetrated by the Japanese on the men of Bataan, the savage massacre of American troops by German soldiers, the unspeakable horrors of Thekla, Gardelegen, Weimar, and Belesen and other concentration camps, as well as thousands of other atrocities, must never be forgiven and must never be forgotten either by Americans or by the nations which committed them. Full publicity and adequate punishment is essential to future peace and civilization.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include an article from the Daily Missoulian, of Missoula, Mont., under date of April 10, 1945.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial and a newspaper article.

Mr. MCGREGOR asked and was given permission to extend his remarks in the RECORD and include a letter to the chairman of the Ways and Means Committee relative to the passage of H. R. 2707.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the subject of Dumbarton Oaks and the San Francisco Conference and to include therein an editorial from the Saturday Evening Post on the same subject.

Mr. ANDREWS of New York asked and was given permission to extend his remarks in the RECORD and include therein a resolution.

Mr. ALLEN of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Post.

WAR ATROCITIES COMMISSION

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, I have this morning introduced a joint resolution providing for the establishment of a permanent War Atrocities Commission. This resolution is not to be construed to any extent as competitive with the action of our colleagues who at the present time are on their way to Germany to view the horror camps and bear testimonial of the savage and inhuman treatment which German internees and prisoners have received at the hands of the Nazis recently. It is to make the compilation of these facts permanent material that this resolution is offered. It is likewise our purpose to make it possible for all material, whether in Europe or otherwise to be collected and preserved as a permanent evidence of the utterly debased station into which Axis Governments throughout the world have fallen.

TRANSPORTATION AND FURLOUGH FOR HONORABLY DISCHARGED SOLDIERS AND SAILORS

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. MCGREGOR addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that, at the conclusion of all legislative business today, and

any other special orders, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENSION OF REMARKS

Mr. SPRINGER asked and was given permission to extend his own remarks in the RECORD and include certain excerpts.

THE LATE ERNIE PYLE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I rise to inform the House that I have introduced a joint resolution by which the President of the United States will be authorized to award, posthumously, a medal of honor to the late Ernie Pyle, in recognition of his heroic conduct and outstanding services as a war correspondent during this war.

Mr. Speaker, every soldier and sailor, and our Nation as a whole, mourn the great loss sustained in the unfortunate death of Ernie Pyle. His constant smile, his unflinching courage, his words of cheer, his great activity throughout this frightful war, and his simple sentences portraying the truth of this conflict and the suffering of our fighting forces, by which all of the people came to know and love him, have vanished. He has left an indelible impression upon the hearts of the people by his sincerity of purpose. This Hoosier-born writer was a most lovable character. Those who knew him, loved him. Those who read his story, revered him. While Ernie Pyle is no more, yet the story which came from his pen will be long remembered. Those who read his story, and those who knew him personally, will not forget. Throughout the coming years the name of Ernie Pyle will remain as a sweet memory, treasured in the hearts of the men and women of this Nation.

Let us extend this final tribute of love and memory to him—our friend.

DEVASTATING TORNADOES STRIKE OKLAHOMA

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. RIZLEY addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two speeches from President Osmeña of the Philippine Republic. I am informed that it exceeds the limit set by the Joint Committee on Printing and that it will cost \$166. Notwithstanding the cost I

ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection it is so ordered. There was no objection.

Mr. BLAND asked and was given permission to extend his own remarks in the RECORD and include a statement from the Maritime Commission.

GERMAN HORROR CAMPS

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, the entire world has been shocked by the revelations of horror which have recently come out of Germany. I commend General Eisenhower and our Speaker for the action taken on last Friday. It is in the interest of good government that Members of the Congress should take every possible opportunity to see things at first hand.

Mr. Speaker, one of the duties of the Signal Corps of the Army is to make and keep a photographic history of this war. I talked personally this morning with Maj. Gen. Harry C. Ingles, Chief of the Signal Corps of the Army, inquiring as to whether or not photographic records were being kept by the Army of these horror scenes which are being discovered by our advancing forces.

I believe the House would like to know that General Ingles assures me that an accurate and complete photographic record in still and motion pictures is being made. These films and the eyewitness reports which are being made will furnish to the public the best possible information as to the facts of the situation. Therefore, we can be sure that the people of today and tomorrow will have accessible to them the indisputable facts for future reference and consideration.

The Army in general, and the Signal Corps in particular, is deserving of high commendation for the wonderful photographic history which is being made of this war, and at the first opportunity, I hope to elaborate on that subject.

The SPEAKER. The time of the gentleman from Texas has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that at the end of the legislative day, today, and any other special orders, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection? There was no objection.

GERMAN ATROCITIES

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mr. FLOOD. Mr. Speaker, on this question that concerns the House so much now as to the atrocities of enemy nations, I point out that there are reso-

lutions before the Foreign Affairs Committee dealing with this subject. In addition, I present a resolution today, because of the fact that the United Nations War Crimes Commission has no investigating power, and until allegations and charges or indictments are actually presented by a member nation, to the United Nations War Crimes Commission there is nothing before that Commission. My resolution asks for the appointment of a commission having investigating powers and also including the essential fact that that commission's report be made to the United Nations War Crimes Commission.

EXTENSION OF REMARKS

Mr. CARNAHAN asked, and was given permission to extend his remarks in the RECORD by including a letter from W. C. Samples, of Van Buren, Mo., regarding the veterans' hospital at Jefferson Barracks, Mo.

Mr. BRYSON was given permission to extend his remarks in the RECORD and include a poem by one of his constituents.

Mr. VOORHIS of California asked and was given permission to extend his remarks, and to include an article by Charles G. Bolté, appearing in Harper's magazine.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and include a letter from Frank Maloy, editor of the Lorraine Journal.

Mr. PRICE of Florida asked and was given permission to extend his remarks in the RECORD, and include an address delivered by Cecil Wright Pemberton, of the Florida Tax Association, notwithstanding the fact that the Public Printer had said it would cost \$140.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD, and include two editorials; also, to extend his remarks in the RECORD and include an editorial on Ernie Pyle.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD on the subject of the reduction of Federal bureaus; also, to include a statement by Comptroller General Lindsay C. Warren on the same subject; also, to extend his remarks in the RECORD on the subject of the St. Lawrence seaway project, including testimony before the Rivers and Harbors Committee.

GOVERNMENT LIFE INSURANCE POLICIES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SIKES addressed the House. His remarks appear in the Appendix.]

LEAVE TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that this afternoon at the conclusion of the legislative business and any other special orders I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection? There was no objection.

HOME ATROCITIES

Mr. CLEVINGER. Mr. Speaker, I ask unanimous consent to revise and extend

my remarks and address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I have two letters from my district, both from persons well known to me, relating to one Bud Friend, a soldier back from Germany after 8 months imprisonment and 20 months overseas. When his father applied for ration cards at the ration board to build this man up—he had lost 42 pounds—that he might go over to the Pacific to join his two brothers, he was denied both red and blue points by the O. P. A. ration board.

Also, I have information which comes from State secretary of agriculture report, that there will be 40 percent less canning crops in Ohio this year and 5 percent less corn, 700,000 acres untillied, 25,000 less acres of sugar beets. Not all of the atrocities are committed against soldiers in Europe.

THE SAN FRANCISCO CONFERENCE

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. GAVIN addressed the House. His remarks appear in the Appendix.]

THE ISLANDS OF THE PACIFIC

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein a radio address delivered by the Honorable THOMAS C. HART, Senator from Connecticut.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his remarks in the Record and include a statement by Mr. Newton, president of the Federated Chambers of Commerce of Northern New York on the St. Lawrence seaway.

Mr. BARRETT of Wyoming asked and was given permission to extend his remarks in the Record and include figures in connection with the irrigation projects in Wyoming.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Record and include a newspaper article.

Mr. O'HARA asked and was given permission to extend his remarks in the Record in three instances, and in each to include a concurrent resolution adopted by the Legislature of the State of Minnesota.

THE MEAT SUPPLY

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have just been informed the Office of Price Administration has issued a 10-point program with a view of bringing about a more adequate supply of meat. I submit the problem can be pretty well solved if the O. P. A. and other agencies will permit an increased price to the farmers and producers as incentive for finished cattle so they can afford to add the extra two or three hundred pounds per head, and let the retailers sell it at a price so they can stay in business. Instead of employing an additional flock of 500 O. P. A. investigators to travel around over the country, let a few F. B. I. agents now employed under the direction of J. Edgar Hoover investigate especially some of the big wholesale meat concerns in our larger centers. It is in places like Washington, New York, Philadelphia, and other large cities where black markets flourish on a large scale and where huge profits are made on account of it. I am informed we have some pretty flagrant violations in our own Capital City of Washington.

If F. B. I. men will go to wholesalers and the big meat dealers and inquire where they get their meat supplies and to whom they sell them and proceed to bring action against larger concerns who violate the law, the black market in meat will largely disappear. The very fact that the F. B. I. is making investigation will have a wholesome effect. A bigger meat supply and less black markets will do more to solve the problem than anything else. We do not need more O. P. A. regulations. We have too many now.

ERNIE PYLE

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I, too, have today introduced a resolution providing for a posthumous award to Ernie Pyle. Ernie Pyle began his career as a newspaperman on the Herald-Argus of the city of La Porte in the district which I have the honor to represent. I think the justification for this measure could not be better stated than in the words of the War Department on yesterday's Army Hour radio program:

On Ie Jima, a little active guy with a big cap gave his life that we at home may know how war tastes, and smells, and sounds and feels: Ernie Pyle, shot by a Jap sniper, was the twenty-third war correspondent in this war to die on active duty.

Ernie Pyle was the G. I.'s Boswell. They loved him and he loved them, and tenderly they laid him to rest among their fallen buddies in a little cemetery on Ie Jima; he of the little body and the big heart. May God bless him.

EXTENSION OF REMARKS

Mr. TOWE asked and was given permission to extend his remarks in the Record and include a short address.

Mr. FEIGHAN asked and was given permission to extend his remarks in the Record and include a resolution in memorandum to our late President adopted by the Cleveland Federation of Labor.

Mr. RANDOLPH asked and was given permission to extend his remarks in the Record and include editorial comment.

Mr. CRAWFORD asked and was given permission to extend his remarks in the Record in two instances and include editorials and comment.

Mr. MUNDT asked and was given permission to extend his remarks in the Record and include a proclamation issued by Gov. M. Q. Sharpe, of South Dakota.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include an editorial taken from the St. Paul Dispatch entitled "An Overdue Wage Adjustment," which pertains to the legislation now pending before the Committee on the Post Office and Post Roads.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FILING OF PETITION

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to file a petition submitted by John L. May, of Milwaukee, Wis., signed by 618 residents of the First, Third, Fourth, Fifth, and Sixth Congressional Districts of Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PVT. (1ST CL.) GERALD H. POLAND

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

[Mr. HALE addressed the House. His remarks appear in the Appendix.]

WEEKLY NEWSPAPERS SHOULD BE REPRESENTED ON GROUP VISITING GERMANY

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I think it is excellent that General Eisenhower has requested, through official sources, that Members of this body and the Senate view the horrors in prison camps in Germany. I believe it is also a splendid idea that distinguished editors and executives of our metropolitan press and magazines make a similar journey.

I do not rise in carping criticism, but I agree with the Army spokesman who said that the list of editors was arranged hastily. Why do I say that? There are 10,430 weekly newspapers in America, and there is not one representative of the small town or rural press of this Nation included in the group making the

journey. I am sorry for that. Two days ago, when first I heard of the plan, I attempted to have the War Department request a weekly editor to join the party. It appeared the appeal came too late.

The small town and rural newspaper field, serving faithfully so many millions of our citizens, could have embraced a viewpoint that would have been valuable. The lesson of Nazi inhumanity should and will be fully considered by Americans. We are a country of idealism—but in this instance we must be realists as we deal with the worst war criminals of recorded history.

THE FOOD SITUATION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, 3 years ago when I stood on this floor and urged the people to save food and cried out against the War Food Administration, the O. P. A., and the Department of Agriculture for asking for less production, a few people said I was a demagogue. Today, in the markets of Washington, a lot of food is being offered that we back in the country have never even taken into the house—such things as chicken heads, fish heads, chicken feet, bacon rind, ham rind, and chitterlings, which are the large intestines of the hog.

These are the kind of things I saw the poor undernourished people of Puerto Rico buying and eating some years ago. It makes me sometimes wonder—is this America? Let the O. P. A., the War Food Administration, and the Department of Agriculture answer that question.

And now I see that the packers are being offered an additional 25 cents per hundredweight subsidy, and this is supposed to bring on more beef. I wonder whom they think they are kidding? Let us look at it from a practical standpoint. Twenty-five cents per hundredweight on a 600-pound carcass, which represents a good 1,000-pound beef, will be \$1.50. Is there anyone crazy enough to believe that is the answer?

This is simply adding insult to injury, to the slaughterer, the farmer, and the consumer. With more live cattle on our hands than we have ever had in our history, there is just one answer, and that is to give the slaughterers the green light. The shortage of meat cannot be blamed on the black market because the packer is operating under Government inspection regulations, while the country butcher is not under inspection, his slaughtering is regulated by the fact that the consumers' purchases are limited by the rationing system.

It is true, however, that much of the scarcity in certain markets can be blamed on the manner in which the packer product is being distributed. So far as the pork and poultry shortages are concerned we just do not have the hogs and poultry, and the reason we do not have them is because the patriotic farmers of this country have complied with the recommendations of the O. P. A.,

the W. F. A., and the Department of Agriculture and have produced less. Therefore, they simply are not available.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

RATIONING BOARDS

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, I rise on the same point as the Congressman from Ohio [Mr. CLEVENGER]. I have in my hand a letter from the father of a young man who was captured in the Philippines. He returned home after he had been gone for more than 4 years. He appeared before the ration board to get a few food coupons and they turned him down. I think the O. P. A. has reached an all-time low in its administration and it is high time that this Congress understands where they are taking us.

I want to read what the Arvada Enterprise, of Arvada, Colo., said:

THE BUSTED "G" STRING

Feeling was running rather high on the streets of Arvada last week when a young fellow who had spent 3 years in a Jap prison camp came back from the rationing board and reported he was refused food points and gas stamps because he did not have the proper papers. No doubt there are certain laws to be followed in rationing and evidently these laws were being carried out in this case, but when a fellow has been through hell and carries the service stripes on his sleeve that this boy has, it would appear law or no law would permit him the privilege of securing a few points and a gas stamp or two until his papers arrived. No doubt the boy could survive a long time in the good old U. S. A. after living those years on the food the Japs gave him. The report wasn't out long before the returned Jap prisoner was well stocked with everything he needed by well wishers from far and wide. Maybe the black market is caused by the rationing boards themselves. If they would use a little common sense, people would not be forced to use the black market.

EXTENSION OF REMARKS

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a joint resolution passed by the Legislature of California endorsing the passage of H. R. 2032 and H. R. 2033.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may address the House for 15 minutes after other special orders today.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. RAMEY] may have permission to address the House for 5 minutes today after other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Thursday and also Friday I may be permitted to address the House for 20 minutes on each day upon the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISTRICT DAY

The SPEAKER. This is District day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

RECORDING VETERANS' DISCHARGE CERTIFICATES

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S 638) to amend the Code of Laws of the District of Columbia by adding a new section 548A, and providing for the recording of veterans' discharge certificates, and I ask that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc. That the Code of Laws of the District of Columbia, approved March 3, 1901, be amended by adding thereto the following new section:

"Sec. 548a. The recorder shall also receive for record and record all certificates of service and certificates of discharge of persons released from active duty in or discharged from the armed forces of the United States, for which no fee shall be charged or collected, but the record of any certificate authorized by this section to be recorded shall not constitute constructive notice of the existence or contents of such certificate. For making certified copies of any of the foregoing certificates from the records in the office of the recorder the usual fees shall be charged."

Mr. RANDOLPH. Mr. Speaker, I desire to say this legislation passed the Senate unanimously and was then considered by the House Committee on the District of Columbia and reported unanimously to the floor. It just has to do with veterans' discharge certificates. It provides for the recordation of a veteran's discharge certificate, without charge to him, and making provision that he may obtain a certified copy of the same upon payment of the usual fee by the Recorder of Deeds Office. It is strictly a service which will be helpful to the

veteran, and many States provide similar recording facilities.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEACHERS AND SCHOOL OFFICERS OF
BOARD OF EDUCATION, DISTRICT OF
COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 124) to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924, and I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924 (Public, No. 188, 68th Cong.), be amended to read as follows:

"Sec. 16. That when necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *Provided further*, That all temporary teachers shall be assigned to the basic salary of the class in which the service is to be performed, and shall not be entitled to longevity allowance in said class.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. STEFAN. Reserving the right to object, Mr. Speaker, I think the chairman of the Committee on the District of Columbia should explain this bill. I understand this has to do with an increase in the salaries of teachers?

Mr. RANDOLPH. No. It does not go to the increase of salaries.

Mr. STEFAN. Will the gentleman explain the bill?

Mr. RANDOLPH. Yes. I am going to explain each and every measure that I call up.

This legislation is not the proposal which the gentleman knows will perhaps come to us later, to raise the basic salaries of teachers in the District of Columbia. This measure would simply authorize the Board of Education, on the recommendation of the Superintendent of Schools, to appoint temporary teachers on basic salaries for the fiscal year, rather than just month-by-month appointments as they are now doing. There is a shortage of teachers in the District and it is needed so that our school children may have

their educational processes taken care of without undue interruption.

The Commissioners of the District of Columbia request the legislation and also the Board of Education of the District of Columbia and the Superintendent of Schools.

Mr. STEFAN. Will the gentleman yield further?

Mr. RANDOLPH. I yield.

Mr. STEFAN. How much additional appropriation would this require?

Mr. RANDOLPH. I do not believe it will require any additional appropriation because the same amount of money would be paid to the teachers as is now being paid. The Board of Education is simply to have the privilege of entering into a longer contract with the teachers, instead of spacing it every 3 months.

Mr. STEFAN. The gentleman states there will be no additional appropriation needed?

Mr. RANDOLPH. There will be no additional appropriation needed.

Mr. STEFAN. It will not cost the District any more money?

Mr. RANDOLPH. We are so advised.

Mr. STEFAN. It is merely a matter of regulating the program because of the shortage of teachers?

Mr. RANDOLPH. Yes. It is simply to simplify the hiring of teachers in the District, those teachers only being temporary teachers, fulfilling the tasks until others return who are now in the armed services or who are absent because of illness or on sabbatical leave.

Mr. STEFAN. I withdraw my reservation of objection, Mr. Speaker.

Mr. RANDOLPH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAINTENANCE IN DISTRICT TRAINING
SCHOOL

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 123) to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. RANDOLPH. Yes; I will be delighted to do so.

The gentleman from Michigan and other Members will be interested to know that it would amend the present act providing for commitments to the District of Columbia Training School. Under our present law charges made in whole or in part for maintenance of public patients in this institution are made from any estate that those individuals may have had on date of commitment. This bill undertakes to include, after acquired funds or estate, and places responsibility

for payment on the legally liable relatives. It would require the legally responsible relatives to pay for such maintenance, from the date of the original hospitalization. Under existing law a court may make an order requiring the relatives to pay, but the payments begin at the time of the order, and are not retroactive. I think it is fair that the cost of such care should be paid by the legally liable relatives.

The SPEAKER pro tempore [Mr. LANHAM]. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and section 15 thereof, as amended, be amended to read as follows:

"Sec. 14. If the order for admission is as a public patient, and it shall appear then or at any time thereafter that the patient has an estate out of which the Government may be reimbursed for his maintenance, in whole or in part, the court shall order the payment out of such estate of the whole or such part of the cost of maintenance of said patient at said institution as it shall deem just, regard being had for the needs of those having a legal right to support out of said estate, which said order shall remain in full force and effect unless modified by the court. Upon the death of such feeble-minded person while an inmate at such institution or within 5 years after discharge therefrom, his estate shall be liable to the District of Columbia for the cost of his maintenance at said institution, and the claim of the District of Columbia shall be a preferred claim.

"Sec. 15. If the order for admission is as a public patient and the court at any time finds that the patient has not an estate out of which the District of Columbia may be fully reimbursed for his maintenance, the father, mother, husband, wife, and adult children of such feeble-minded person, if of sufficient ability, shall pay the cost to the District of Columbia of his maintenance at the District Training School, at Laurel, Maryland. The Commissioners of the District of Columbia may petition the District Court of the United States for the District of Columbia, at any time during the commitment of such feeble-minded person to said institution, to direct any such relative or relatives to pay the District of Columbia, in whole or in part, for his maintenance at said institution: *Provided*, That in no case shall any such relative or relatives be required to pay more than the actual cost to the District of Columbia of the maintenance of such feeble-minded person.

"If the District Court of the United States for the District of Columbia finds that any such relative or relatives is or are able to pay for the maintenance of such feeble-minded person, in whole or in part, it may make an order requiring payment by any such relative or relatives of such sum or sums as it may find he or they are reasonably able to pay and as may be necessary to provide for the maintenance of such feeble-minded person. Said order shall require the payment of such sum or sums to the Collector of Taxes of the District of Columbia annually, semiannually, quarterly, or monthly, as the court may direct. It shall be the duty of the said Collector of Taxes to collect the said sum or sums due under this section and section 14, and turn the same into the Treasury of the United States to the credit of the District of Columbia. If any such relative or relatives made liable for the maintenance of such feeble-minded person shall fail to

provide or pay for such maintenance; in accordance with the order of court, the court shall issue to such relative or relatives a citation to show cause why he or they should not be adjudged in contempt. The citation shall be served at least 10 days before the hearing thereon.

"Any such order may be enforced against any property of any such relative or relatives made liable for the maintenance of such feeble-minded person, in the same way as if it were an order for temporary alimony in a divorce case.

"Upon the death of any such relative ordered by the court to pay for the maintenance of such feeble-minded person in whole or in part, the estate of such relative shall be liable to the District of Columbia for the unpaid amount due the District of Columbia under said order of court at the time of the death of said relative, and the claim of the District of Columbia shall be a preferred claim against such estate."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANDARD WEIGHTS AND MEASURES IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 122) to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended, is hereby further amended as follows:

Strike out section 3 of said act and insert in lieu thereof the following:

"Sec. 3. That the Superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this act. They shall, at least every 6 months, and oftener when the Superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve and seal, stamp, or mark, in the manner prescribed by the Commissioners, such devices or appliances as conform to the standards kept in the office of the Superintendent, and shall seize and destroy or mark, stamp, or tag with the word 'condemned' such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring de-

vice of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for any of the purposes enumerated in this act any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act within 6 months prior to such use, or that does not conform to the standards kept in the office of the Superintendent of Weights, Measures, and Markets, or that does not bear the approval seal, stamp, or mark prescribed by the Commissioners, or which, having been condemned, has not thereafter been approved as provided in this act.

"Any person who shall acquire or have in his possession after the passage of this act any scale, weighing instrument, or non-portable measure or measuring device, subject to inspection or test under the provisions of this act, which has not been approved in accordance with the provisions of this act within 6 months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners, shall notify the Superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the Superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any portable measure or measuring device, subject to inspection or test under the provisions of this act, which has not been approved in accordance with the provisions of this act within 6 months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners shall cause the same to be taken to the office of the Superintendent for inspection and test.

"Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this act, cause the same to be taken to the office of the Superintendent for inspection and test semiannually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within 6 months prior to the time of such use, and does not bear the approval seal, stamp, or mark prescribed by the Commissioners."

Sec. 2. Insert at the end of section 7 the following:

"No person shall charge or collect for any commodity or commodities a sum greater than the price or prices indicated or quoted at the time of sale. No person shall charge, collect, or accept any money for any commodity which he shall not have delivered or which he shall not have agreed to deliver. When a whole number or fraction, or both, are used in representing the price or quantity of any commodity, thing, or service offered or exposed for sale, such number or combination of numbers shall be of such size as to indicate clearly the price or quantity of such commodity, thing, or service."

Sec. 3. Strike out section 11 of said act and insert in lieu thereof the following:

"Sec. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any manner other than by weight. No person shall sell or deliver or attempt to deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the quantity so sold or delivered or attempted to be delivered to each purchaser shall have been weighed separately. No person shall deliver

to any purchaser within the District of Columbia any coal, charcoal, or coke unless the same shall have been kept separated from any other coal, charcoal, coke, or other commodity after same has been weighed as aforesaid until final delivery thereof.

"No person shall deliver or attempt to deliver any coal, charcoal, or coke in a quantity of one-fourth of a ton or more without accompanying the same by a delivery ticket and a duplicate thereof, the original of which shall be in ink or indelible substance, on each of which shall be clearly and distinctly expressed the following information:

"(a) The gross weight of the load, the tare weight of the delivery vehicle, and the net weight of the coal, charcoal, or coke expressed in pounds avoirdupois;

"(b) The name of the owner and location of the scale on which the coal, charcoal, or coke shall have been weighed;

"(c) Name and address of the seller and of the purchaser; and

"(d) The name of the person who weighed said coal, charcoal, or coke.

"Upon demand of the Superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the Superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent, or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to a public scale, owned and operated as hereinafter provided, or to any legally approved private scale in the District of Columbia, the owner of which may consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon, truck, or other vehicle used to the same scale and permit to be verified the weight of the wagon, truck, or other vehicle.

"When coal, charcoal, or coke is sold in quantities of one-fourth ton or more, it shall be sold in quantities of one-fourth ton, one-half ton, 1 ton, or in multiples of a ton. When coal, charcoal, or coke is sold in quantities of less than one-fourth ton, it shall be weighed at the time of delivery or sold in packages containing 100 pounds, 50 pounds, 25 pounds, 15 pounds, or 10 pounds. No package of coal, charcoal, or coke shall be made for sale, kept for sale, offered for sale, exposed for sale, or sold unless it shall have distinctly and conspicuously printed on the outside thereof in plain bold-face type, not smaller than 36 point, the name of the commodity, the quantity of contents in pounds, and the name and address of the maker of said package. When coal, charcoal, or coke is sold and delivered in packages, no delivery ticket shall be required.

"No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

"Every vendor of coal, charcoal, or coke shall cause his name and address to be distinctly and conspicuously displayed in letters and figures at least 4 inches high on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke. In case of an estate, the trustee, administrator, or executor, or other person in charge of the affairs of such estate shall be deemed to be the vendor."

Sec. 4. Strike out section 14 of said act and insert in lieu thereof the following:

"Sec. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half gallon, 3 pints, 1 quart, 1 pint, half pint, or 1 gill. Such bottles or

jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure."

Sec. 5. Insert after section 22 of said act the following new section:

"Sec. 22½. The Superintendent of Weights, Measures, and Markets is further authorized to make purchases of food in connection with the investigation and detection of sales of food by misrepresentation or false advertising in violation of the act entitled 'An act to prevent fraudulent advertising in the District of Columbia,' approved May 29, 1916; and there are hereby authorized to be appropriated annually such sums as may be necessary for carrying out the purposes of this section."

Sec. 6. Strike out the last sentence of section 19 of said act and insert in lieu thereof the following: "All fish, meat, poultry, meat products, lard, lard substitutes, butter, butter substitutes, and cheese shall be sold by avoirdupois weight."

Sec. 7. Strike out section 28 of said act and insert in lieu thereof the following:

"Sec. 28. That the Commissioners are hereby authorized and empowered to make such regulations as may be necessary for the control, regulation, and supervision of all markets owned by the District of Columbia and that the Superintendent, under the direction of the Commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the Commissioners may make, shall make such investigations regarding the sale, distribution, or prices of commodities in the District of Columbia as the Commissioners may direct, and shall make reports and recommendations in connection therewith."

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation is to provide certain specific language to enable the Commissioners to better administer this law. It has to do with a new section which prohibits false advertising or misrepresentation in connection with the sale of goods in the District of Columbia. It is to plug certain loopholes that exist, where we believe the customer or the purchaser is not getting the exact weight to which he or she is entitled. That is the reason for asking the legislation at this time.

I move the previous question.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOURS OF EMPLOYMENT OF FEMALES IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2122) an act to extend to 6 months after the termination of hostilities the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill,

The SPEAKER pro tempore [Mr. LANHAM]. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the Senate amendments. The Clerk read as follows:

Amendments: Line 8, strike out all after "thereof" down to and including "earlier" and insert "June 30, 1946."

Amend the title so as to read: "An act to extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits."

Mr. RANDOLPH. Mr. Speaker, the House passed this bill unanimously. The House bill would have extended for 6 months after the end of hostilities the operation of Public Law 63 of the Seventy-eighth Congress relative to the number of hours a female may be employed in the District of Columbia in war industries. The Senate, however, amended the bill to place a definite limitation as of June 30, 1946. We desire to concur in the Senate amendments.

The SPEAKER pro tempore. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

APRIL 26 PHILIPPINE DAY IN THE UNITED NATIONAL CLOTHING COLLECTION PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK] to make an announcement.

Mr. McCORMACK. Mr. Speaker, I have been informed that the Philippines will participate in the result of the United National Clothing Collection, which is being undertaken in this month of April 1945. To emphasize this participation, arrangements have been made between the United National Clothing Collection and the Philippine War Relief of the United States, Inc., to designate April 26 as Philippine Day. I would like to take this opportunity to endorse the need of clothing for the people in the Philippines.

Cut off as the Philippines have been from their sources of supply for their normal clothing needs for over 3 years, their need would be most acute even if their country had not been overrun and despoiled by an invading and ruthless army. During those 3 years the Japanese Army have lived upon the people of the Philippines, eating their food, confiscating their homes, seizing their supplies of clothing. These conditions have been seriously aggravated since the beginning of the liberation of the Philippines by our forces as the enemy deliberately adopted wanton destruction in their retreat, killing civilians, burning homes and public buildings, destroying food and clothing.

In a recent statement President Osmeña said:

I saw that path of destruction left by the Japanese. I saw the pitiful survivors who came straggling back to the ashes of their homes. Barefoot, ragged, almost naked, they

came back, looking in vain for wives, mothers, husbands, fathers, children who had died.

Among these ragged survivors of the wrath of the Japanese it is impossible to distinguish rich and poor, the people who once lived in lovely homes and those who lived in humble houses. All are barefoot, all are ragged, all are homeless. All of them need shoes for their feet, clothing to cover their nakedness, bedding to sleep on. I am appealing to America to help in behalf of my suffering people.

I hope that every cooperation will be given throughout the country to make Philippine Day, the clothing drive on that day, a great success. The press of the country can perform no finer or more deserving act than by giving wide publicity of the setting aside of April 26 as Philippine Day.

There is no more meritorious cause that the people of America can wholeheartedly join in making a success than Philippine Day, April 26. We should make it a tremendous success. I hope the people of the country will recognize the necessity of responding to the maximum extent possible and I hope that as wide publicity as possible will be given this day not only by Members of the House but particularly by the press of the country.

The people of the Philippines have suffered greatly. They love Uncle Sam. They have shown their loyalty to Uncle Sam and their appreciation of the humane policies adopted by our country toward them during the years the Philippine Islands and the Filipino people have been under our jurisdiction. We are going to reap the greatest dividends any nation has ever received in the annals of time. Future history, after the Philippines have received their independence, will record us as the first great nation that having once taken under its jurisdiction a large territory and millions of people, promising that at some future time they would be given independence, kept its word. The people of the Philippines have faith in the United States and our people because we are one great nation which has kept its word. It is my frank opinion that for countless generations to come, after the Americans of today are dead and gone, the generations of Americans to come as they look back over the past 45 and more years of our dealing with the Filipinos, will thank us for the humane treatment we gave and for the fact that we kept our word with those people. As I say, it is the greatest investment any great country has ever made, and the dividends coming back to us will be manyfold in the cementing of a friendship that will last for countless generations.

I hope, therefore, that the people of America will cooperate to the maximum extent possible on April 26 in making this day set aside for the donation of clothing for the people of the Philippines a great success.

Mr. STEFAN. Mr. Speaker, will the gentleman yield to me?

Mr. RANDOLPH. Mr. Speaker, I yield to the gentleman from Nebraska.

Mr. STEFAN. Mr. Speaker, I rise to commend the majority leader, the distinguished gentleman from Massachusetts [Mr. McCORMACK], for calling the attention of the House and the country

to what really has happened in the Philippine Islands, by way of ravaging that country by the treacherous Japanese. I have had occasion only recently to talk at some length with Major Lopez, one of the great guerrillas in the Philippine Islands. He confirms what the gentleman from Massachusetts has said regarding the Philippines and what the gentleman says is needed in those islands. Also I commend the statement of the distinguished gentleman from Massachusetts on the coming of complete independence of the Philippines. That statement will bring much happiness to the people there. I hope that constitutional processes will come to the Philippines soon, and that complete independence will come to the Philippines on the 4th day of July 1946, as promised by the United States.

Mr. McCORMACK. Or even sooner. Mr. Speaker, I appreciate very much the remarks of my distinguished friend the gentleman from Nebraska [Mr. STEFAN], and I feel that the Congress of the United States, in respect to the 26th day of April, might well consider a rehabilitation program for the people of the Philippines. In confining my remarks to April 26 I do not want anyone to draw the inference that that is my limitation. My mind goes far beyond that. I consider it to be our duty to the brave people of the Philippine Islands to assist them in a period of rehabilitation and reconstruction, and whatever we may do, we should do to the maximum possible, as a duty, and not as a gratuity or a charity.

As I said before, I hope that the great medium of publicity in our country—the public press—will give as wide publicity as possible to the fact that April 26 has been set aside as Philippine Day, and call upon the people of the various communities of our country to contribute clothing and other things of that kind to make that day's drive a success.

SALARY OF EXECUTIVE SECRETARY, NURSES' EXAMINING BOARD, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 2839) to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the second sentence of section 9 of the act entitled "An act to amend the act of February 9, 1907, entitled 'An act to define the term "registered nurse" and to provide for the registration of nurses in the District of Columbia"', approved March 2, 1929, be, and the same is hereby, amended to read as follows: "The executive secretary of said Board may receive a salary to be fixed by said Board at its annual organization meeting in accordance with the Classification Act of 1923, as amended."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. RANDOLPH. Mr. Speaker, may I say to the gentleman from Michigan and other Members on the floor, that we have a Classification Act in the Federal Government which also operates within the District of Columbia. This executive secretary of the Nurses' Examining Board of the District of Columbia is not under the Classification Act. The Commissioners and others feel, because of the type of work which that individual is carrying on, that that job should be given a better salary. It will amount to some \$600 a year, and will simply bring that person under the provisions of the Classification Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, that concludes the bills on the District Calendar.

EXTENSION OF REMARKS

Mr. KNUTSON (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article written by Dave Eagan, appearing in the Boston Record, the same being a eulogy on our beloved President.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ERVIN asked and was given permission to extend his remarks in the RECORD and include a copy of a bill he had introduced.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. LAFOLLETTE] is recognized for 40 minutes.

FAIR EMPLOYMENT PRACTICE COMMISSION

Mr. LAFOLLETTE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain citations and other material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LAFOLLETTE. Mr. Speaker, I think it is proper to say to the Members who are present and for the RECORD that the gentleman from Arkansas [Mr. HAYS], my very good friend and a Member for whom I have the highest regard, and I felt that this matter of a Federal act for fair employment practices and a permanent Fair Employment Practice Commission should be debated as much as possible in a calm and orderly manner, and for that reason we asked and arranged for these two special orders. We also felt, I think properly, that neither of us should attempt to bind any proponent or opponent of this measure by our particular debate or our particular point of view. However, under the rather general understanding which we have we also are agreed that we hope the Mem-

bers will not ask us to yield generally, because it is a debate in the nature of a discussion of this measure between the two of us.

The proposed Federal legislation in the House (H. R. 2232) and in the other body (S. 101) to establish a permanent Fair Employment Practice Commission is designed, in my opinion, to extend the ethic upon which this country is established and in which we profess to believe, into the field of economic life and to thereby extend once more the idea that there must be full and equal opportunity in a democracy not only to vote, not only to participate in political life, and political activities, but to participate fully and without being subject to discrimination, which our Supreme Court has defined as "irrelevant and invidious" in reaching the fullest economic attainments which we offer to any citizen.

I do not think that it is open to debate that we have not obtained this goal up to now in America.

May I point out primarily that we are not attempting with this legislation to eliminate prejudice. Prejudice is something which sits in the inside of people. We are attempting to eliminate the outward effect of prejudice, which is discrimination.

I should like to draw a parallel, if I may. The eighteenth amendment, which was defined, as "an experiment noble in purpose," in my opinion dealt with basic human feelings and desires. That failed because it did attempt to eradicate that basic thing. But we have always had legislation dealing with the effects of excess indulgence in alcohol. We have always had legislation dealing with unsocial activities such as assault and battery, murder, larceny and theft, all of which arise from inward thinking of people. So that this legislation is not calculated to nor does it attempt to change by legislation basic thinking. That is a process of education. Education and legislation of this type, with enforcement powers, go along hand in hand.

As a matter of fact, I am of the opinion, as many others are, that there is educational value inherent in the enforcement provisions of this legislation, that people will come closer together when they know there is behind a Federal agency a power eventually to enforce action, to prohibit discrimination.

The mere fact that we know that we must get together has pragmatically, I think, educational value. The best evidence I could give you of that is the recent legislation with reference to the right of people to organize and join unions of their choice. I think today there are many people in management sitting down and working with representatives of labor unions who 10 or 15 years ago would have said it was impossible. They have learned by the necessity of coming together that the people who they considered to be their opponents are human beings, and they have found that they can work things out when they are faced with a situation which shows that they can no longer engaged in what we now consider very definitely in this country to be anti-

union activities which have a social and economic effect upon the Nation as a whole.

So much for that element of this legislation.

I think it is rather clearly established that there are many other people and many groups of people in this country who hold the same ideal. At this point in my remarks I shall include a list of the organizations, national and local, which are supporting this legislation.

EXHIBIT 1

PARTIAL LIST OF ORGANIZATIONS ON RECORD IN CONGRESS AS URGING EARLY AND FAVORABLE ACTION ON THE PERMANENT F. E. P. C. BILL (Senate: S. 101; House: H. R. 2232)

NATIONAL ORGANIZATIONS

American Association of University Women.
Alpha Kappa Alpha Sorority.
American Civil Liberties Union.
American Friends Service Committee.
American Jewish Committee.
American Jewish Congress.
American Order of University Women.
American Unitarian Association.
American Unitarian Youth.
B'nai B'rith.
Catholic Interracial Council.
Common Council for American Unity.
Congregational Christian Churches (Council for Social Action).
Congress of Industrial Organizations.
Consumers League of America.
Delta Sigma Theta Sorority.
Evangelical and Reformed Church, General Synod.
Federal Council of the Churches of Christ in America.
Fraternal Council of Negro Churches in America.
Improved Benevolent & Protective Order of Elks of the World.
International Brotherhood of Sleeping Car Porters (A. F. L.).
International Ladies Garment Workers Union of America (A. F. L.).
Jewish Labor Committee.
Jewish War Veterans of the United States.
League of United Latin American Citizens.
March on Washington.
Methodist Church, General Conference.
Methodist Ministers' Union.
Millinery Workers, Joint Board (A. F. L.).
National Alliance of Postal Employees.
National Association for the Advancement of Colored People.
National Association of Colored Graduate Nurses.
National Bar Association.
National C. I. O. Committee to Abolish Racial Discrimination.
National Community Relations Advisory Council.
National Conference of Christians and Jews.
National Council of Catholic Women.
National Council of Jewish Women.
National Council of Negro Women.
National Council of Student Christian Associations.
National Council for a Permanent F. E. P. C.
National Farmers Union.
National Federation for Constitutional Liberties.
National League of Women Shoppers.
National Negro Insurance Association.
National Urban League.
National Women's Trade Union League of America.
Negro Newspaper Publishers Association.
Postwar World Council.
Presbyterian General Assembly.
Sigma Gamma Rho Sorority.
Southern Tenant Farmers Union.
Study Conference on Just and Durable Peace.

Union of American Hebrew Congregations.
Union for Democratic Action.
United Council of Church Women.
Upholsterers International Union of North America (A. F. L.).
Women's Division of Christian Service, Methodist Church.
Women's Division of the American Jewish Congress.
Women's International League for Peace and Freedom.
Workers' Defense League.
Young Men's Christian Association, National Board.
Young Women's Christian Association, National Board.

COMMUNITY ORGANIZATIONS

Albany Council for a Permanent F. E. P. C.
Bay Area Council Against Discrimination, San Francisco.
Belen (N. Mex.) Council for a Permanent F. E. P. C.
Buffalo (N. Y.) Council for a Permanent F. E. P. C.
Chicago Council Against Racial & Religious Discrimination.
Chicago Mayor's Committee on Race Relation.
Citizens' Committee for Interracial Action, Salt Lake City.
City-Wide Citizens' Committee on Harlem, Cleveland (Ohio) Council for a Permanent F. E. P. C.
Columbus Metropolitan Fair Employment Practice Committee.
Committee of One Hundred, San Antonio.
Coordinating Council for Latin American Youth, Los Angeles.
Denver Council for a Permanent F. E. P. C.
Detroit Council for a Permanent F. E. P. C.
Detroit Metropolitan Council on Fair Employment Practice.
East Bay Council for a Permanent F. E. P. C. (Berkeley, Calif.).
Flint (Mich.) Council for a Permanent F. E. P. C.
Indianapolis Council for a Permanent F. E. P. C.
Interracial Commission of St. Louis.
Kansas-Missouri Council for a Permanent F. E. P. C.
King Hiram Grand Lodge, Vauxhall, N. J.
Los Angeles Council for a Permanent F. E. P. C.
Louisville (Ky.) Council for a Permanent F. E. P. C.
Massachusetts Citizens' Committee for Racial Unity.
Mexican Civic Committee, Chicago.
New Orleans Council for a Permanent F. E. P. C.
New York Metropolitan Council on Fair Employment Practice.
Omaha Council for a Permanent F. E. P. C.
Paterson (N. J.) Council for a Permanent F. E. P. C.
Philadelphia Metropolitan Council for Equal Job Opportunity.
Pittsburgh Citizens' Coordinating Committee.
Portland (Oreg.) Council for a Permanent F. E. P. C.
St. Louis Council for a Permanent F. E. P. C.
San Diego Council for a Permanent F. E. P. C.
Seattle Council for a Permanent F. E. P. C.
Southwestern Connecticut Committee to Promote Fair Employment Practices.
Spanish American Citizens' Association, Denver.
The Frontiers Club of Dayton.
Utah Council for a Permanent F. E. P. C.
Utica Council for a Permanent F. E. P. C.
Vallejo (Calif.) Committee on Interracial Affairs.
Washington (D. C.) Committee on Race Relations.
Worcester (Mass.) Council for a Permanent F. E. P. C.
Yonkers (N. Y.) Council for a Permanent F. E. P. C.

It is not sufficient that legislation should be based upon sound moral or ethical grounds. In a democracy we cannot enforce ethical principles unless we find that they are legal or constitutional under our form of government. It is my opinion that this legislation very definitely is constitutional, because discrimination because of race, certainly, has heretofore been held by our Supreme Court to be an irrelevant and an invidious discrimination which the Court will not uphold.

In *New Negro Alliance v. Sanitary Grocery Co.* (303 U. S. 552, 561), Mr. Justice Roberts said:

The act does not concern itself with the background or the motives of the dispute. The desire for fair and equitable conditions of employment on the part of persons of any race, color, or persuasion, and the removal of discrimination against them by reason of their race or religious beliefs is quite as important to those concerned as fairness and equity in terms and conditions of employment can be to trade or craft unions or any form of labor organization or association. Race discrimination by an employer may reasonably be deemed more unfair and less excusable than discrimination against workers on the ground of union affiliation. There is no justification in the apparent purposes or express terms of the act of limiting its definition of labor disputes and cases arising therefrom by excluding those which arise with respect to discrimination in terms and conditions of employment based upon differences of race or color.

In the Steel case the Court, through Mr. Chief Justice Stone, said:

Without attempting to mark the allowable limits of differences in the terms of contract . . . it is enough to say that the statutory power to . . . make contract . . . does not include the authority to make, among members of the craft, discrimination not based on . . . relevant differences. Here the discriminations based on race alone are obviously irrelevant and invidious. Congress plainly did not undertake to authorize the bargaining representative to make such discriminations.

I think it is clearly established by those two cases that discriminations based upon race are discriminations which the court will not uphold. They are discriminations which the court does not permit to be recognized. One was the case of an employer, which was the first case I cited, and again, in the case of a labor union, in the second case cited, from which it follows, if the court holds that Congress cannot pass a law which will permit discriminations based upon color to be considered as valid discriminations, Congress also has the affirmative power to treat affirmatively with those discriminations and to prohibit them. On the question of whether the power of Congress is limited only to prohibit the discharging of employees, the Phelps-Dodge case which was decided by the Supreme Court under the National Labor Relations Act, I think has permanently disposed of that question by holding that it is unlawful to discriminate in hiring as well as in discharging. In that case, they held it was unlawful to refuse to employ a man because of his previous union activities just as much as it was unlawful to discharge him for union activities after he was employed. From which it seems to me it follows very clearly as a

matter of constitutional authority that Congress has the power to declare a thing to be discrimination, which the Supreme Court has held to be irrelevant and invidious, and that it also has the power to prevent discrimination barring any man, against whom such discrimination is practiced, from having a full economic opportunity in the way of a job which he is qualified to handle.

I think also it would be well to state in the RECORD for the Members of the Congress and for the public just what we are presently discussing and the legislation which is now waiting for a rule before the Committee on Rules. For that reason, I am inserting in the RECORD the bill and the majority report of the Committee on Labor upon that legislation.

EXHIBIT 2

H. B. 2232

A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry

Be it enacted, etc., That this act may be cited as the "Fair Employment Practice Act."

FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress hereby finds—

(1) that the practice of discriminating in the matter of employment, and in matters relating thereto, against properly qualified persons because of their race, creed, color, national origin, or ancestry leads to domestic and industrial strife and unrest and forces large segments of the population permanently into substandard conditions of living, thereby creating a drain upon the resources of the Nation and a constant threat to the maintenance of industrial peace and of the standard of living necessary to the health, efficiency, and well-being of workers; and

(2) that the existence of such practices in industries engaged in commerce or in the production of goods for commerce causes the means and instrumentalities of commerce to be used to spread and perpetuate such conditions throughout the several States and causes diminution of employment and wages in such volume as substantially to impair and disrupt the market for goods in commerce, and burdens, hinders, and obstructs commerce.

(b) Individuals shall have the right to work without discrimination against them because of their race, creed, color, national origin, or ancestry.

(c) It is hereby declared to be the policy of the Congress to protect such right and to eliminate all such discriminations to the fullest extent permitted by the Constitution. This act shall be construed to effectuate such policy.

DEFINITIONS

SEC. 3. As used in this act—

(a) The term "person" means an individual, partnership, association, corporation, legal representative, trustee in bankruptcy, receiver, or any organized group of persons, and includes any agency or instrumentality of the United States or of any Territory or possession thereof.

(b) The term "employer" means a person having in his employ six or more individuals, or any other person acting in the interest of such an employer, directly or indirectly.

(c) The term "labor union" means any organization, having six or more members, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, or terms or conditions of employment.

(d) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between any State or Territory, or the District of Columbia, and any place outside thereof; or within the District of Columbia or any

Territory; or between points in the same State but through any point outside thereof.

(e) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(f) The term "Commission" means the Fair Employment Practice Commission created by section 6.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 4. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 5. (a) It shall be an unfair employment practice for the purposes of this act for any employer—

(1) to refuse to hire any individual because of such individual's race, creed, color, national origin, or ancestry;

(2) to discharge any individual from employment because of such individual's race, creed, color, national origin, or ancestry;

(3) to discriminate against any individual in the matter of compensation with respect to, or in other terms or conditions of, employment because of such individual's race, creed, color, national origin, or ancestry;

(4) to confine or limit recruitment or hiring of individuals for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against individuals because of their race, color, creed, national origin, or ancestry.

(b) It shall be an unfair employment practice for the purposes of this act for any labor union—

(1) to deny full membership rights and privileges to any individual because of such individual's race, creed, color, national origin, or ancestry;

(2) to expel from membership any individual because of such individual's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, employee, or individual seeking employment, because of his race, creed, color, national origin, or ancestry.

(c) It shall be unfair employment practice for the purposes of this act for any employer or labor union to discharge, expel, or otherwise discriminate against any person because such person has opposed any practice which constitutes an unfair employment practice under this act or has filed a charge, testified, or assisted in any proceeding under this act.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 6. (a) For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices, there is hereby created a commission to be known as the Fair Employment Practice Commission, which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission, and three members of the Commission shall at all times constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in its employ or under its supervision, and an account of all moneys it has disbursed, and shall make such further reports on the cause of, and means of alleviating discrimination, and such recommendations for further legislation as may appear desirable.

(e) Each member of the Commission shall receive a salary at the rate of \$10,000 a year, and shall not engage in any other business, vocation, or employment.

(f) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the Committee shall then pass into the possession of the Commission.

(g) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

(h) The Commission shall have power—

(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(4) to furnish to persons subject to this act such technical assistance as they may request to further their compliance with this act or any order issued thereunder; and

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this act and to make the results of such studies available to interested Government and nongovernmental agencies.

PREVENTION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 7. (a) The Commission is empowered, as provided in this section—

(1) to prevent unfair employment practices by employers affecting commerce;

(2) to prevent unfair employment practices by employers who are parties to contracts with the United States or any Territory or possession thereof, or with any agency or instrumentality of any of the foregoing, and by employers performing, pursuant to subcontract or otherwise, any work required for the performance of any such contract;

(3) to prevent unfair employment practices by agencies and instrumentalities of the United States, and of the Territories and possessions thereof; and

(4) to prevent unfair employment practices by labor unions affecting commerce.

(b) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have

power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this act. If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

JUDICIAL REVIEW

SEC. 8. Except as provided in section 12 (relating to the enforcement of orders directed to Government agencies), orders of the Commission shall be subject to judicial enforcement and judicial review in the same manner, to the same extent, and subject to the same provisions of law, as in the case of orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 9. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person being investigated or proceeded against relating to any such investigation, proceeding, or hearing.

(b) Any member of the Commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

(c) Any member of the Commission, or any agent or agency designated by the commission for such purposes, may administer oaths, examine witnesses, and receive evidence.

(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(e) In case of contumacy or refusal to obey a subpoena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a contempt thereof.

(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 10. The Commission shall have authority from time to time to issue such regulations as it deems necessary to carry out the provisions of this act, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this act. If, within 60 days after the issuance of any such regulation or of an amendment to any such regulation, there is passed a concurrent resolution of the two Houses of the Congress stating in substance that Congress disapproves such regulation or amendment, as the case may be, such regulation or amendment, as the case may be, shall not be effective after the date of the passage of such concurrent resolution; and after the date of the passage of such concurrent resolution, no regulation or amendment having the same effect as that concerning which the concurrent resolution was passed shall be issued by the Commission.

Regulations issued under this section shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

INCLUSION OF ANTIDISCRIMINATION CLAUSE IN GOVERNMENT CONTRACTS

SEC. 11. (a) Every contract to which the United States, or any Territory or possession thereof, or any agency or instrumentality of any of the foregoing, is a party (except such classes of contracts as the Commission may by regulation issued under section 10 exempt from the scope of this section) shall contain a provision under which—

(1) the contractor agrees that during the period required for the performance of the contract he will not engage in any unfair employment practices; and

(2) the contractor agrees that he will include a provision in each subcontract made by him for the performance of any work required for the performance of his contract a provision under which the subcontractor agrees—

(A) that during the period required for the performance of the subcontract, the subcontractor will not engage in any unfair employment practices; and

(B) that the subcontractor will include in each subcontract made by him provisions corresponding to those required in subparagraph (A) and this subparagraph.

(b) Unless the Commission shall otherwise direct, no contract shall be made by the United States, or any Territory or possession thereof, or any agency or instrumentality of any of the foregoing, with any person found pursuant to this act to have engaged in any unfair employment practice, or with any corporation, partnership, association, or other organization, in which such person owns a controlling interest, for a period (to be fixed by the Commission) not to exceed 1 year

from the date on which such practice was so found to have been engaged in. The Commission may, by subsequent order, for good cause shown reduce any period so fixed. The Comptroller General of the United States shall distribute to all agencies and instrumentalities of the United States, and to the appropriate officials in the Territories and possessions of the United States, lists containing the names of such persons, corporations, partnerships, associations, and organizations.

ENFORCEMENT OF ORDERS DIRECTED TO GOVERNMENT AGENCIES

SEC. 12. The provisions of section 8 (providing for judicial enforcement and judicial review of orders of the Commission) shall not apply with respect to an order of the Commission under section 7 directed to any agency or instrumentality of the United States, or of any Territory or possession thereof. In the case of any such order, the Commission may request the President to take such action as he deems appropriate to secure compliance with such order, which may include the summary discharge of any officer or employee of any such agency or instrumentality who, in the opinion of the President or such person as the President may designate, has willfully failed to comply with such order.

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 13. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 14. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

EXHIBIT 3

THE FAIR EMPLOYMENT PRACTICE ACT

Mrs. NORTON, from the Committee on Labor, submitted the following report:

The Committee on Labor, to whom was referred the bill (H. R. 2232) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

One of the principal objectives of the tragic war in which we are now engaged is to establish the principle that all men, no matter what their religion, color, or national origin, are born with the right to freedom to worship and work to safeguard their spiritual and economic welfare. The men and women of America hold this belief so dear that they are fighting and dying on the battlefields of the world to uphold it. When the war comes to a victorious end, and our men and women return to peacetime occupations from the battlefields and from the production of war materials, there must be equal opportunity for all. The men who have fought for economic freedom for peoples throughout the world will not, and should not, be satisfied with anything less in our own country.

Let it be clearly understood this bill has for its purpose economic opportunity only. The opponents of the bill are attempting to confuse the issue by bringing up the question of social equality. We repeat, there is nothing in the bill concerned with anything other than economic equality.

The Presidential candidates of both parties specifically pledged themselves to support of

a permanent Fair Employment Practice Commission. At the beginning of this session of the Seventy-ninth Congress, 13 bills having the same purpose, were introduced and referred to the committee. The provisions of 10 of these bills are identical. The bills are as follows: H. R. 481, introduced by Mr. LAFOLLETTE, of Indiana; H. R. 679, by Mr. BALDWIN of New York; H. R. 700, by Mr. DAWSON, of Illinois; H. R. 1370, by Mr. HOOK, of Michigan; H. R. 1575, by Mr. DIRKSEN, of Illinois; H. R. 1743, by Mr. POWELL, of New York; H. R. 1762, by Mr. BENDER, of Ohio; H. R. 1806, by Mrs. DOUGLAS, of California; H. R. 1815, by Mr. CLASON, of Massachusetts; and H. R. 1894, by Mr. DOYLE, of California. The bill H. R. 523, introduced by the chairman, was based very largely on the provisions of the above identical bills.

These proposals were considered by a subcommittee composed of Mr. RANDOLPH, of West Virginia; Mr. PATTERSON, of California; Mr. GEELAN, of Connecticut; Mr. POWELL, of New York; Mr. BALDWIN, of New York; Mr. McCONNELL, of Pennsylvania; and Mr. ADAMS, of New Hampshire. After full consideration, the subcommittee recommended to the full committee a bill embodying the best features of all of the above proposals. Upon completion of comprehensive discussion by the full committee of the recommended bill, the committee requested the chairman to introduce, as a committee bill, a bill carrying out these recommendations. It is that bill, H. R. 2232, which is herewith reported.

ANALYSIS OF THE BILL

The following is an analysis, section by section, of the recommendations of the Committee.

Section 1. Short title

This section gives the act its title—the Fair Employment Practice Act.

Section 2. Findings and declaration of policy

This section sets forth the underlying factual basis and policy for the regulation provided by the bill. The Congress finds that discrimination in employment because of race, creed, color, national origin, or ancestry (1) leads to interracial tension and conflict, (2) forces large segments of our population permanently into substandard conditions of living, (3) creates a drain upon the resources of the Nation, (4) causes a diminution of employment and wages which disrupts the market for goods in commerce, all of which (5) burden, hinder, and obstruct commerce.

Section 3. Definitions

This section defines in ordinary terms the words "person," "labor," "union," "commerce," "affecting commerce," and "Commission." The term "employer" is defined, however, to include all employers of five or less employees.

Section 4. Right to freedom from discrimination in employment

This section declares that the right to work free from discrimination is an "immunity" of the citizens of the United States, which shall not be abridged by any Federal or State agency.

Section 5. Unfair employment practices defined

This section seeks to outlaw discriminatory practices by three major groups—private employers, labor unions, and agencies of the Federal Government. It forbids discrimination in every incident of the employment relationship. Thus, it would make unlawful a discriminatory refusal to hire, refer, upgrade, promote, or classify properly. It is designed to forbid wage differentials based upon race, discriminatory transfers, or assignments, discriminatory discharges and discrimination in the application of seniority rules. It likewise seeks to ban the various devices by which discrimination is effected. The bill also forbids an employer to confine his hiring to any source that discriminates.

The section also seeks to forbid discriminatory practices by trade unions. It forbids them to deny membership because of race, creed, color, national origin, or ancestry or to discriminate among members because of such facts.

In addition, the section seeks to protect those persons who suffer discrimination, not because of race or creed but because they seek to assist their fellow employees who belong to a minority group. Thus, it forbids discrimination against employees who oppose discrimination or who assist in any proceeding under the bill.

Having stated the objective of extirpating every form of discrimination in employment, no matter how occasioned, devised, or motivated, it should likewise clearly be stated what the bill does not seek to do. The bill is not concerned with matters other than employment, such as housing, education, recreation, transportation, political rights, or social relationships.

Section 6. Fair Employment Practice Commission

This section creates a quasi-judicial agency to be known as the Fair Employment Practice Commission, to consist of five members appointed by the President for 5-year terms with the advice and consent of the Senate. The original members will serve, however, for terms ranging from 1 to 5 years. Commissioners will receive \$10,000 a year. When a quorum of the new Commission has taken office, the present Committee on Fair Employment Practice created by Executive Order 9346 will go out of existence, but its records, employees, and unexpended appropriations will be transferred to the new Commission.

Section 7. Prevention of unfair employment practices

The Commission is empowered to prevent the proscribed unfair employment practices by the issuance of cease-and-desist orders. The procedure devised by this section for the issuance of such orders follows closely that of other administrative agencies. Thus the section provides for the filing of charges with the Commission, the holding of hearings before it, the making of findings of fact, the issuance of cease-and-desist orders.

The Commission is empowered to prevent those unfair employment practices which are committed by Federal agencies or by Federal contractors or which affect commerce.

Section 8. Judicial review

This section incorporates, by reference, the procedure for judicial review and enforcement of the Commission's orders, which is now applicable to the orders of the National Labor Relations Board. The technical, common-law rules of evidence will not be binding upon the Commission, but in conformity with existing judicial doctrine it will receive or consider only the type of evidence which "usually affects fair-minded men in the conduct of their daily and important affairs" (*Bene v. F. T. C.*, 229 Fed. 468).

Any party aggrieved by a final order of the Commission may, on his own initiative, obtain a review of such order in the circuit courts.

No penalty is provided for a violation of an order of the Commission. If, however, a court commands obedience to such an order, violation of the court's decree will be punishable as a contempt of court.

Section 9. Investigatory powers

This section confers upon the Commission the customary powers of subpoena and administration of oaths. The subpoenas are enforceable in the Federal district courts.

Section 10. Rules and regulations

This section empowers the Commission to issue regulations necessary to carry out the provisions of the act, but provides that the two Houses of Congress may disapprove any regulation by the adoption of a concurrent

resolution within 60 days after the issuance of such regulation. After adoption of such a resolution the Commission would be barred from issuing another regulation having the same effect as the one disapproved. Thus continual congressional supervision of the Commission's regulations is provided for.

Section 11. Government contracts

This section continues the existing requirement of Executive Order 9346 issued by the President, that every contract to which the Federal Government is a party shall contain a covenant obligating the contractor and his subcontractors not to discriminate in employment because of race, creed, color, national origin, or ancestry. This obligation is in effect only during the period of time required for the performance of the contract.

This section also provides that in the discretion of the Commission it may require that a person found to have violated any of the provisions of the act shall be barred from receiving another Government contract for a period of not to exceed 1 year. This section is based upon a similar provision in the Walsh-Healey Act of 1936 (41 U. S. C. 35.)

Section 12. Enforcement of orders directed to Government agencies

This section provides for a means of enforcing the Commission's orders against Federal agencies or their officers who have been found to be guilty of discriminatory employment practices. The Commission is empowered to request the President to take any action he deems appropriate to obtain compliance with the order of the Commission. Thus the President may discharge summarily any Federal employee or officer who, in the President's opinion, has willfully failed to obey an order of the Commission.

A Federal agency named as a respondent in a Commission order will have no right of appeal to the courts.

Section 13. Willful interference with Commission agents

This section, customary in comparable regulatory statutes, protects agents of the Commission from physical harm as willful interference. This section is not applicable to the committing of unfair employment practices or the violation of the orders of the Commission.

Section 14. Separability clause

This section expresses the intent of Congress that the act shall be deemed separable in the event of a decision of unconstitutionality affecting only a portion of the act.

MARY T. NORTON.
JENNINGS RANDOLPH.
AUGUSTINE B. KELLEY.
FRANK E. HOOK.
ELLIS E. PATTERSON.
JAMES P. GEELAN.
WILLIAM J. GREEN, JR.
ADAM C. POWELL, JR.
RICHARD J. WELCH.
JOSEPH CLARK BALDWIN.
SAMUEL K. McCONNELL, JR.
SHERMAN ADAMS.

Since this legislation has been reported by the Labor Committee we find also that objections to it take several general forms. I am attempting to anticipate objections, but not necessarily anticipating the argument of the gentleman from Arkansas [Mr. Hays]. However, I shall meet certain objections which I have seen discussed in the public press and which I have heard from time to time raised on this floor.

It is said, first, that the legislation grants too much power to the Commission, its agents generally, and particularly with reference to the power of sub-

pena and the power to investigate alleged causes of discrimination which come within its purview. On that score, it is interesting to note that powers very similar to these were originally granted under the Interstate Commerce Act of 1887; that very similar powers were found in the Federal Trade Commission Act of 1914; and that similar powers are found in the Federal Power Act of 1920. Of course, we all know that these powers given to administrative bodies exercising quasi-judicial functions has been a development since 1933, such as powers given to the National Labor Relations Board. But I have not stressed those, because people say, "That is New Deal legislation and, ipso facto, it is bad." I want to eliminate that argument.

This concept that an administrative body has to have the power to subpoena witnesses from all over the country, from any place, and to require their attendance at any place, to require the production of papers, is not a new concept. The power granted under this act to this Fair Employment Practice Commission is not a new concept. It is a power which any administrative body must of necessity have if it is going to function in an orderly manner.

Also it is said that this legislation permits the Commission to hire an unlimited number of employees and to establish an unlimited number of district offices. That sort of power is generally granted in general legislation of this sort, but in the final analysis, to fear it comes down to this, that we deny the power and ability and integrity of the Appropriations Committee of this body, for obviously the appropriation under which this Commission must act must come out of this body. It means, in the first place, that it must pass the scrutiny of the Appropriations Committee; and if you are to say that they would have unlimited employees and would establish unlimited offices, the same objection could be raised against any commission or any function of Government. Why raise this objection only against this legislation designed to eliminate discrimination against members of minorities? But to fear it, in its final analysis, means that we are afraid of the power which we have, as Members of this body, to limit unwarranted and undue expenditures and the unrestrained employment of people, through our ability to appropriate money and to limit appropriations. I, for one, do not care to subscribe to the theory that I as an individual or all the Members of this body have become impotent to control the expenditures of any branch of the Federal Government.

The argument that there is too much power to employ people and to establish offices is a negative sort of argument which denies our own strength.

Again, we hear the question raised that there is no trial by a court. Section 8 of this act provides that the findings of the Commission shall be subject to the same judicial review as established in the National Labor Relations Act.

Section 10 of that act among other things defines the power of certain courts of appeal and contains this language:

The findings of the board as to facts if supported by evidence shall be conclusive.

It is stated that under this language the court is bound to accept the findings of fact of the Commission. Let us examine that. That is not a new concept, Mr. Speaker. This concept is found in the workmen's compensation legislation in my State; it is found in the public utility legislation in my State; it is found, if you please, in the common law in my State, and I think of practically every State in the Union—namely, that a court of review cannot upset findings of fact where there is material evidence upon any fact sufficient to support the findings of ultimate fact. If this were not true, we would have courts of review investigating findings of fact upon a bare written record without seeing or hearing the witnesses, without having the opportunity to gage the truthfulness or untruthfulness of the witnesses, which we have always said in this country was the peculiar province either of *nisi prius* judges, in cases of equity jurisdiction or of juries, in cases of common law jurisdiction.

On the subject of what the real meaning of this language is let me read from a statement appearing in the Harvard Law Review of November 1944 by Robert L. Stern. First on the subject of what this language means:

The first of these laws, the Federal Trade Commission Act, upon which the others have been modeled, was enacted in 1914, shortly after the pronouncement in the Louisville Railroad case. That act declared that "the findings of the Commission as to facts, if supported by testimony, shall be conclusive." In subsequent statutes the language employed in the Federal Trade Commission Act has been modified in minor respects. The National Labor Relations Act and the Securities Act of 1933, for example, substitute the word "evidence" for "testimony." The Fair Labor Standards Act, the Federal Power Act, and the Securities and Exchange Act of 1914 refer to "substantial evidence." The Longshoremen's and Harbor Workers' Compensation Act, apparently harking back to the original rule, provides that a compensation order may be set aside if not in accordance with law. But all of these clauses, irrespective of the words used, would have been construed by the Supreme Court as embodying the substantial-evidence rule which would presumably have been applied by the courts even if specific provisions therefor had been lacking. Evidence is substantial if "a reasonable mind might accept [it] as adequate to support a conclusion."

I do not believe the concept is new and I do not believe it is startling; assuming that, I think it would be startling if we sought to set it aside in this particular legislation. Again, why this legal congressional discrimination against minorities?

Let us now consider for a minute the fact that the members of this Commission must be appointed by the President with the consent of the Senate. A Federal judge is appointed in the same way. In my community, at least, we do not always have the same safeguards around the selection of jurors and we elect our *nisi prius* judges. There is this fact also that should be considered: This Commission has been in existence for a little over 2 years.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. LAFOLLETTE. I would rather not yield at this time; I am sorry.

Since 1944 the temporary commission has closed out 3,712 cases. Of these 26 percent were settled with the consent of the party charged. Forty-eight percent were dismissed, and the remaining 26 percent were withdrawn. It is also a matter of record that down to date 28 percent of the cases were dismissed because there was not evidence of ability to hold the job on the part of the person who asked that he be employed.

With that background and with the experience that the President and the Congress and particularly the Senate had with the early attempts to enforce the National Labor Relations Act, which I agree were not perfect, I do not believe we need fear that either this President or this Senate will make the same kind of mistake. I believe they will appoint men of proven integrity, who understand that new legislative concepts are best served by firm, unswerving devotion to the propositions that intellectual honesty is essential to effective action by quasi-judicial administrative bodies.

It seemed to the public that the earlier members of the N. L. R. B. were lacking in this understanding. Friends of those members, particularly of Judge Madden, insist vigorously that certainly as to him, the public was misinformed. Assuming that they are correct, the fact remains that the public opinion so formed at that time is having a wholly unjustifiable repercussion now, which is being unfairly utilized against this legislation. There is no reason today to assume that this President and this Senate will not exercise great care in nominating and approving the members of the Commission proposed by this legislation.

It is also argued that there is no provision for a jury trial and that therefore this legislation is bad. There is no occasion for a trial by jury. The scope and purposes of the proposed legislation is not to create a personal right which an individual discriminated against can enforce in a court or obtain a personal judgment. On the contrary, the legislation lays down a standard of employment practices throughout the Nation and declares that there should be no discrimination by employers engaged in interstate commerce or in activities affecting interstate commerce as a matter of public policy. It is therefore foolish to say that the Federal Government's standards should be subject to a trial by jury. The penalties provided for a violation of the act arise from a failure to practice a policy in employment in interstate commerce defined by the Congress; and while it is true that the provision for payment of back wages or the provision for employment or reinstatement in employment are provisions which affect an individual who is eventually found in contempt of court, nevertheless, these provisions are not essentially personal in their nature and consequently there is no individual right inherent in the law which should be submitted to a jury. Because there are no criminal provisions

provided for in the act and the enforcement is simply by the court in the nature of a fixing of penalties for contempt of court in which the Congress, by legislative enactment has fixed the limits within which the court may act in penalizing for contempt.

Furthermore, it must be obvious that a trial by jury would clutter up Federal courts and result in different standards in different Federal districts and would impose a burden upon the individuals who were subjected to the practices of discrimination which the act outlaws of personally financing their trials and appeals which would, for all practical purposes, nullify the legislation. These are but some of the arguments against trial by jury which must be apparent to anyone who understands the nature of the legislation.

It is further said that this whole legislation constitutes an undue intrusion into the rights of employers or the owners of property to employ that property in a free society. However, the right to use the property, even the ability to acquire the property arises out of the fact that the existence of a stable democratic government is the foundation upon which any right of an individual to own, acquire or use property in the production and creation of wealth is based, and that therefore the individual actually operates as a trustee of the property with the consent of the Government, and the Government, acting by the democratic method of exercising its legislative processes, has the power to fix the terms under which the trusteeship may be exercised. The following statements from a varying list of individuals and groups indicates that this concept of mine is not a new one:

EXHIBIT 4

A SUMMARY BY SIR WILLIAM BEVERIDGE OF FULL EMPLOYMENT IN A FREE SOCIETY

And its practical proposals are inadequate, not only through deficient diagnosis, but even more because action is inhibited by a sense of values that is wrong in two respects: of treating private enterprise as sacrosanct—a sovereign power independent of the state.

EXHIBIT 5

[From America of April 14, 1945]

F. E. P. C.—A CHALLENGE TO DEMOCRACY
(By Richard J. Roche)

But, to put the matter beyond argument, look at what happened to the proven cases of flagrant discrimination involving certain railroads and railway-labor unions. The F. E. P. C., after trying in vain for months to negotiate an adjustment, finally passed the matter on to the President—and the President created the special Stacey committee, whose original purpose was to effect a just settlement of the cases. More than a year has passed now since the Stacey committee took over, and some people are beginning to wonder if it is not the intent of the Stacey committee to put the matter on ice forever. That is not good government. Rather than having a powerful and ruthless F. E. P. C., it seems that we have some business enterprises and some labor unions more powerful than the Federal Government.

EXHIBIT 6

[From the Interracial Review of May 1945]
CATHOLIC INTERRACIAL COUNCIL EDUCATION AND THE F. E. P. C.

Whenever the question of any sort of fair employment practices legislation is discussed, a stock objection raised is that education is so much better than any kind of legal or punitive apparatus.

"You cannot force people to employ persons whom they do not like. Unless you have popular opinion behind such enactments, they will be either resisted or evaded. If you try to bring force to bear, you only make the situation worse. The time is not ripe for this kind of legislation. What is needed now is education, since it is misunderstanding and prejudice which encourages malfeasance. Such a committee or commission should be merely of an advisory, or research, or educational character. Therefore the penal sections in the proposal should be removed, if the measure is at all to be encouraged."

If this type of reasoning were allowed fully to have its way, it would logically follow that there could be no enactments in any field which would bring the force of the Government or of the State to bear upon any question of social justice or civic rights, for in any of these you must deal with the same human factors of prejudice, misunderstanding, apathy, or vested interests. If a matter of elementary justice cannot be dealt with through the ordinary course of legal and judicial procedure, then we are not warranted in enacting any legislation on wages and hours, on the protection of women and minors, or safeguarding the right of workmen to engage in collective bargaining. For in all these instances the law, when it takes shape in bodily action, comes up squarely against a vast mass of human ignorance, human selfishness, and opposition.

But the answer then given applies to the present day. The purpose of such law is to act as a deterrent, and such deterrents, as human experience shows, are absolutely necessary. Without some such deterrent provisions, a merely persuasive or advisory agency is a mockery. In other words, the test as to whether or not the State or the Government really means what it says, whether the citizens really mean what they say who see that such a measure is placed on the statute books, is the fact that it is provided with teeth, hands, and feet, quite as much as with merely eyes and a mouth.

In his discussion of some sort of world organization to ensure international security after the present war, Pope Pius XII laid the utmost stress, as he has always done, upon the educational and persuasive agencies. Nevertheless, he clearly states that such a security organization must be provided with means of enforcing its decisions, even to the use of armed force.

It is not necessary to resort to armed force to implement the findings of the F. E. P. C. The law gives effective penal deterrents of a less violent character, but the deterrents are needed nonetheless.

Recording this clear principle, however, does not in any way imply that one would underestimate the supreme need of popular education, in order to supplement the agencies for deterrent action. Certainly, in like fashion, provisions need to be made for setting in motion a process of conciliation and persuasion, as far as this is effective. The use of education and the resort to force when the law is infringed are not two opposing or contradictory ideas, but they are two parts of one whole, mutually complementing one another.

Furthermore a logically and effectively planned agency with sufficient sanctions has itself an educational character.

EXHIBIT 7

[From New York World-Telegram of February 20, 1945]

CALL ANTI-DISCRIMINATION BILL PRACTICAL, JUST
(By George E. Haynes, executive secretary, the Federal Council of Churches of Christ in America)

The two articles which you published giving the pro and con of the antibias bills were excellent. Your editorial of February 16, however, does not seem to weigh all the facts and phases. You say that until education has accomplished a great deal more you fear that this bill will "retard rather than advance the progress hoped for. The objection is not to the purpose but to the method."

In the first place, laws are means of popular education. Furthermore, the main features of the bill provide for process of education carried on by an adequately organized State commission.

Again about 20 years of a program of interracial education has been carried on by many national bodies, especially the Federal Council of Churches, the Central Conference of Jewish Rabbis, the Interracial Commission of the Catholic Church, the National Conference of Christians and Jews, and many educational institutions. The Ives-Quinn bill and the commission that made the investigations that lead to its proposal are partly the result of that education. Public opinion now demands action.

You say you object to the method. Let us compare other methods. During and since World War No. 1 there have been repeated investigations and the publishing of their results. Library shelves are loaded with publications gathered by such investigations. These have helped. Changes in interracial attitudes and behavior patterns come mainly through action.

To get employment as bus drivers a Negro group in Harlem had to stage a boycott which almost precipitated a riot. This method should be no longer left as the only recourse these groups have.

One objection made to this bill is that it would cost considerable to administer. Careful study has shown that discrimination in employment is one of the roots of race conflicts. Chicago, Detroit, Beaumont, New York, and many other cities furnish ample proof that a few hours of rioting cost many times more than years of administration of such constructive measures as this bill proposes.

Another objection is that you cannot legislate against prejudices and attitudes. This is true. The Ives-Quinn bill, however, does not attempt that. It aims to stop or prevent certain practices, as a part of our civil rights law. We have set minimum standards of wages, hours, and other working conditions. We have defined other unfair labor practices. Why should we not by law set fair employment practice standards against discrimination in employment because of race, creed, or national origin?

EXHIBIT 8

Rt. Rev. Msgr. John A. Ryan, D. C., nationally known Catholic leader: "Discrimination, whether practiced by employees or employers, is definitely immoral * * * as if they committed theft or murder."

Rabbi Stephen S. Wise, American Jewish Congress: "I rest my case for the permanence of the Fair Employment Practice Committee on one basic truth: Racial, religious discrimination in the field of employment is a denial of democracy and is of the essence of fascism."

Bishop G. Bromley Oxnam, Federal Council of Churches of Christ: "The religious forces, and I believe the democratic forces, of the United States face a fundamental problem here, and that is finding concrete means to translate our ethical ideals into the realities of economic justice and racial brotherhood."

Mr. Speaker, I ask unanimous consent to yield the remainder of my time under this special order to my friend from Arkansas [Mr. HAYS].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HAYS. Mr. Speaker, I appreciate very much the spirit in which my friend from Indiana [Mr. LaFOLLETTE] has approached this problem. I want him to know that I am grateful for his words with reference to me, and my position on this important question and I fully reciprocate that sentiment.

The points on which we agree are as important as those on which we differ. We both believe in the democratic process and we have taken this means of presenting our views with the feeling that perhaps it might tend to clarify the issues. We both believe that we must do everything that men in positions of political responsibility can do to preserve the democratic means of settling differences between groups, not only between races, but between groups of different religious views. This bill is sweeping in its character, and applies not only to a discrimination between members of a minority race but also goes into religious differences.

I hope that when action on the bill is concluded the victors will not say, "Now that settles it—we have downed them." This is the sort of problem that requires continuous and intelligent study. If the bill should be defeated I will be relieved, for from my point of view a threat to important governmental principles will be removed, but a victory should be followed by cooperation in those things that will assure minority workers of just and equitable treatment.

The bill to be considered is known as the fair employment bill. Justice Brandeis once commented on the effect of conjure words. With mere words unclothed by ideas one can conjure either favor or prejudice. The words "fair employment" belong in that category. They might serve to give us who oppose the Norton bill the appearance of favoring discrimination. I certainly do not favor it and I agree that wherever it is rooted in racial and religious prejudice, men and women of good will should exert themselves to put it down. Those of us who oppose the Norton bill do not approach the subject in a negative spirit. We do, however, exert our energies in a different direction. The situation which our opponents approach in terms of fair employment and with a legalistic instrument we approach in terms of full employment and with the consent of the community as its vehicle.

In the process of securing fair employment, legislation will be of negligible importance. It is unity of purpose we seek, not enforced relationships. It was a

former Member of this House, T. V. Smith, of Illinois, who said that "government is only the political shadow of democracy." Government cannot supply the motive for unity; it can only supply the mechanics, and if the motive is lacking no governmental process will succeed. To insist on invoking the powers of state where attitudes rather than actions constitute the offense is to fly in the face of a basic and fundamental rule of democratic life. This is a lesson from human experience whose relation to law is notably formulated in the words of Henry Maine, "Social opinion should always be in advance of law, and happiness of the people depends upon the narrowness of the gulf between them."

It is my contention that even if the assumption of my friend from Indiana that passage of the Norton bill would be a proper exercise of the powers of state were correct, it is nevertheless true that until a greater degree of public support can be marshaled for its enforcement it will crash as some other Federal measures have, upon the rock of popular resistance. Two good examples occur to me. I happen to be among those who oppose the sale of liquor as a social evil, but we learned that that evil could not be destroyed by passing Federal legislation. So with antievolution bills. I believe in the spiritual interpretation of creative forces, and it was the denial of that which disturbed some of the States, but the people learned that just passing a law against the point of view of which they disapproved was futile.

I cannot forget something that happened in Tulsa, Okla., soon after I was elected to Congress in 1942. I spoke under the auspices of the Conference of Christians and Jews. I referred rather casually to the fact that I hoped no word or act of mine as a Member of Congress would ever make anyone a member of a minority feel less secure in America. I was speaking to a Protestant group. The statement was later quoted by a young man of the Catholic faith under circumstances indicating that the words had a vital meaning for him, and the experience impressed me with the fact that this is a Nation of minorities with varying interrelated problems.

My opposition to the bill is by no means a departure from one of the major activities of my life. Some of my best years have been devoted to disadvantaged people. For several years I was associated with the Farm Security Administration and many of our activities were devoted to improving the lot of Negro farmers and farm laborers. I have considerable pride in that affiliation. For several years I was a member of the Commission on Interracial Cooperation of the South and of local interracial groups devoted to improving race relations, and I do not propose to be faithless to the instincts which produced those associations. I am convinced that in opposing the bill I am serving the interests of all minorities, including our colored people.

What the Negro really needs in the realm of civic and economic life as dis-

tinguished from social pursuits is a lessening of his race connection. How, then, in the name of simple logic can anyone expect to help him with this bill? It would accentuate the race tie and would set in motion counter movements to retard him. Look at the proposed procedure. If a worker is discharged he files a complaint alleging that it was not for incompetence but because of his color. Now, there is no way at all by which the employer can prove by evidence not related to his own mental processes and human reactions that the charge is not true. A very distasteful business incidentally for us to thrust upon American employers and an implied blanket indictment of their tolerance and fairness that the facts do not justify. As a result of any employer's failure to convince the Commission—not constituted as a court, remember—that the charge is not true, the employee goes back to work or the employer goes to jail. Now, why does the employee go back to work? For only one reason; he is identified with a minority. Perhaps he should go back to work; perhaps he should not have been discharged, but let us be honest. He goes back because of his race or religion. We cannot stimulate individual efficiency and self-reliance with that procedure. We will only intensify any existing prejudice against the affected groups.

This is a procedure, however, not extended by the bill to all forms of discrimination. The other day I had a letter from a person in New York State who had read something of this controversy. He said, "I am opposed to this legislation, but if you seriously propose to adopt it, then write into the bill a provision that will give those of us who are over 40 years of age the same protection that you are giving to members of a racial or religious minority, because the discrimination against men over 40, even over 30 in many instances, is entitled to recognition if you are going to approach the problem legislatively."

You do not propose to prohibit discrimination against those with physical handicaps. I would like to point out that it has taken years of patient educational endeavor on the part of the friends of the physically handicapped to secure recognition for them, to induce many employers to accept them, and to break down the old idea that a physical handicap disqualifies one for employment. Opportunities for this group were not forced by law.

I reiterate that my opposition is to the specific measure before us, the Norton bill, H. R. 2232, not to improving the lot of minority workers. In discussing it I shall attempt to show, first, that the bill is based upon false conceptions of rights and immunities and violates fundamental principles; second, that the use of legal force and coercion has failed under the present plan and that this measure will not work where there is a large percentage of Negroes; third, that the procedure suggested will drive a wedge between racial and religious groups

and will tend to destroy their faith in each other.

The bill gives authority to the Commission to order employers to continue complainants in employment and gives authority to the courts to punish for contempt failure to obey Commission orders. It denies Federal agencies any appeal from Commission decisions and authorizes the President to dismiss summarily any officer found by the Commission to be guilty of a discriminatory practice. Moreover, the bill does not provide for jury trials on appeals to the court from Commission orders.

The bill confuses two functions of government, the regulatory or coercive function, and the promotional function of government. An example of the promotional service is the Bureau of Indian Affairs. In one generation they have admitted to many of our economic processes members of that important and historic minority.

In its regulatory aspects the bill follows somewhat the pattern of the National Labor Relations Board though the powers conferred are considerably broader than those of the Labor Board. In the past when economic controls were applied by such agencies as the Interstate Commerce Commission and the Federal Trade Commission, mentioned by the gentleman from Indiana, the approach has been essentially a judicial one. The mandates of those agencies definitely describe the practices to be prevented so that the plan has worked out acceptably with no violence to individual rights.

This bill is different. What is prescribed is so bound up with delicate human relations that it may be said if the bill passes we are for the first time in history legislating against a mental attitude.

The basic purpose of the bill is not to make a crime of something, if so the proscribed practice would be identified as a criminal offense and the penalties would be set out. A bill of that type would be assigned to the Judiciary Committee and if passed would become a part of the criminal code. But that is not this bill. It is seeking not to define and punish a crime but to do a positive thing—to create or preserve jobs for minorities through certain pressures applied to private employers. Now I submit that use of this device will do the Negroes and all minorities great harm—for we cannot expose to coercion and arbitrary controls any minority—in this instance, private employers, without endangering the freedom of all groups.

This country was founded upon faith that most of the people would do the right thing, and now it is proposed to surrender that valuable element in our social and political life and move on the assumption that in industrial relationships people must be forced, not by public sentiment or by employee groups through collective bargaining, but by law to do the right thing, and what is right is so vaguely defined as to subject employers to terrible confusion and harassment. It is claimed that this is to prevent injustice. But the Federal Government cannot take on the business of forcibly preventing all injustices. Not even the States operating in the vast

realm of their reserved sovereignty undertake it. A father disinherits a son or daughter—arbitrarily and unjustly cuts them off, through prejudice, we will say. That outrages our sense of justice but does anyone contend that a Federal statute to prevent it is in order? Equity courts will compel a husband to provide for a wife but courts do not compel them to live together. This bill, however, makes possible the imposing of serious penalties including imprisonment of an employer for refusal to continue a person in his employment with no trial of the issues by a jury and deprived of the protection of the rule that evidence against him must preponderate. The Congress has surely not come to that low regard for the judicial process.

It is not possible to discuss this measure without specifically dealing with the southern situation, for any substantial improvement in the economic condition of the race must be achieved within its borders, but that is not to say that the impact of this bill if passed would not be just as great in certain areas of the North and West.

I do not condone prejudice and discrimination against Negro workers either by employers or labor unions; for the same reason I ask tolerance for the white people of the South who are also a national minority and that tolerance seems to be lacking among some vocal proponents of other minority rights. These critics of the South are not content to point out the national imperfections in dealing with racial minorities—for which the South accepts its share of the blame. But such critics have continually abused the South and have made every incident there the basis for an indictment against the region even to the embarrassment of many of the South's Negro leaders. One wonders at times if these exponents of hate want justice for the southern Negro, or injustice so they may make political capital of his condition. How else explain their obstruction of the efforts by members of both groups to establish effective and nonviolent means of adjusting differences?

But repetition of the story of the wrongs we have suffered from these extremists might add to the tensions generated by this legislation. Moreover, I recognize that charges and countercharges of prejudice do not advance us toward a solution. Arguments over who bears the greater blame will not help. Ultimately the South must be right in her policies on race as on other vital issues. Believe me the South wants to be right. We are struggling with these complicated problems with perhaps a greater anxiety and charity than we are generally credited with. Surely those outside the South can see that further complications will result from attempts like this to impose a short and unrealistic political formula upon our race relations.

We are not bitter over the evidences of outside interest in our problem, for it is the source of social, economic, and political difficulties for the North and West. The problem is not exclusively ours. It has a national, indeed in some respects an international, character.

Colored people of other countries have been told that America will not treat her colored minorities fairly. That is disturbing, but I trust that when the whole story is told—when our minority citizens appraise the genuine forces for justice at work in this country—they will interpret our actions correctly. We owe it to them to take this action without rancor and with a proper regard for new world conditions. We could not repress these human concerns if we would. Our own sympathies are expansive. We are interested in disadvantaged peoples too—even those of other continents—and we know that this quality in human life defies geography.

It is not necessary to look farther than the employment policy of this House to find that there are practical reasons for appointing officials having considerable freedom in the selection of personnel. To inject the element of race and religion is to impose injustices upon the employer. The House should study its own criterion. Is it fair for us to retain a freedom of employment policy for ourselves and deny it to private employers? Is the House prepared to prescribe that percentages of white and colored employees on the House staff—in all grades—should be the same as that of the general population? We know that it is not feasible, and that it is not a question of justice or injustice. Similarly, private employers may have reasons for hiring all white or all colored, reasons that do not involve personal judgments as to fitness at all. The habits and attitudes of customers must be considered. Sometimes this works to the Negro's advantage. I know plantation owners who prefer Negro tenants as better operators than the available white tenants and they will not rent to white farmers. I do not anticipate that many white farmers would seek to change the practice if this should become the law, but it is conceivable that it might be used as a countermeasure if attempts were made to enforce its provision in the South.

The problem must be resolved in other terms. The goal is to work toward full employment, is to find, to create new opportunities, and to add to the efficiency of Negro workers. That is partly the white man's responsibility and while he is not discharging it adequately he has made a splendid beginning. We must encourage the efforts to improve educational opportunities. Some must alter their thinking as to the Negro's capacity, and efforts should be made to open up trades that have been closed to him. It is a fact that the Negro had been losing certain types of employment before the war and while he has made gains in some, as in aircraft manufacturing, he is just now recovering from severe losses in others. But these forces are governed by popular attitudes and opinions, not primarily by employer policies, and it would be rank injustice to place upon private employers the burden of displacing public opinions and practices with the patterns of conduct envisioned by this bill. People do not persist in injustice. I know that those who are zealous for exact and perfect justice will not agree to that; but people do respond

to appeals for fairness, and that is the hope of every minority group. Booker T. Washington's statement, "The only way the white man can hold a Negro in a ditch is to stay in it with him," is often quoted in the South. The religious and educational forces to which I have alluded have become vigorous. Now that we are reaching the culmination of some of the hopes that we had for the Negro, it would be a great tragedy to interrupt those programs and to startle the South and the Nation with this kind of Federal legislation.

When I graduated from high school in 1915 there were only 64 Negro high schools in all the South. Today there are 2,500. There is a growing number of white people in the South who oppose efforts to place ceilings over the Negro's progress. Perhaps you saw the statement that was recently issued by Governor Darden, of Virginia; Ralph McGill, editor of the *Atlanta Constitution*; Donald Comer, Alabama industrialist; and a hundred other southerners which said, "We believe in equal pay for equal work," and conceded a number of other things that the Negroes of the South have been suggesting.

We realize that the Negro's advancement would be reflected in the region's progress. Considerations of economic stability and security call for an enlightened and progressive view of this matter, and the South is embracing it.

The Negro may suffer individual injustices—indeed on occasions he does—but ultimately his race and he as an individual will get the opportunities for which they are equipped. He is being favored by these two forces just mentioned: first, the white man's self-interest, and, second, a growing response to the moral principles that are involved in these efforts.

While the Negro is acquiring and demonstrating fitness for more attractive types of employment he should recognize that it is not necessarily discrimination to regard him as unequal to the white workers in certain pursuits. He should also recall that he is regarded as excelling in certain trades, even though most of them are humble ones. These are relative considerations, anyway. If the Negro cannot yet measure up in some respects to his white competitor, he should take heart in contrasting his position with that of his race 80 years ago. Students of his progress declare that no race has ever made comparable strides in an equal period of time. And I have faith enough in his recognition of that progress to believe that he would prefer an orderly development in an uncoerced community rather than to take a chance on new and brighter ways of economic life bought at the expense of bitterness and violence.

The farmers of Denmark were regarded as Europe's finest before the war. It was the result of a generation of intensive social and educational endeavors. It is no reflection on the farmers of other European countries to say that they are not equal to the Danish farmers. In those neighborhoods in which the Negro bears the reputation of being a better tenant it is the compliment to him rather than a reflection on white tenants that

is significant. All the declarations of law regarding their relative capabilities that might be passed could not alter the condition.

If the judgment imposed upon the Negro race is defective, passing a law will not do the job for him. He needs the white man's friendship and assistance—the kind that involves imagination and goodwill through every stratum of economic organization and the Negro would suffer if that friendship, so potentially powerful at this moment, is jeopardized by the passage of a law that his white neighbors reject en masse.

My second objection to the Norton bill is that it is unworkable. Since so many Negroes live in the South their welfare as a national group will be determined largely by the things that take place in our region. While not forgetting the situations that may exist in areas of war plants and war migrations in the North and West, I must therefore emphasize the southern relation to this proposal.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. HAYS. I prefer not to. I think I can save time by not yielding. I prefer to make the presentation without interruption, if the gentleman please.

The plan is wholly unworkable. We have the benefit of some experience on this point, and we have found that there are certain repercussions that always follow, repercussions that are not always of an economic character. Both whites and Negroes often take the worse job from an income standpoint to have work that appeals to them and one that carries certain satisfactions not expressed in money terms. I was interested in the testimony that was presented in one of the committees the other day by a Negro teacher. She was asked how much she made as a teacher, and she replied that she received \$60 a month while she was teaching school. She worked 6 months of the year in a war plant. The testimony disclosed that she was making three times as much money in her war work as she made in her teaching. She was asked why she did not work in the war plants all the time. She seemed surprised at that, and said, "What! And leave my profession?" as if that were unthinkable.

The economic man is not the whole man. There are certain values in life not measured in money terms that the Negro recognizes; and while that is no defense of unjust and discriminatory treatment, I am pointing out that if you enact this kind of measure you are going to expose the group to bitterness and resentment. The experience of F. E. P. C. demonstrates that fact.

Both its successes and failures are enlightening. Its failures are where it tried to force on a community a situation that the community was not willing to accept—the F. E. P. C. experience in the Western Electric case in Maryland, and in the Philadelphia and Washington city transit cases, to mention only three instances, provides proof that even in wartime the plan will not work where there is a large Negro population. Its successes, the cases where it secured additional manpower utilization in the war effort, were produced not by legal action but

chiefly through counseling in plants and with the support of labor unions. Where labor does not willingly cooperate in the objectives, results have been meager even in the North. I know of one case in which new jobs for a minority were opened up in a Texas war plant, the Deer Park Plant of the Shell Oil Co. at Houston, but it required the active cooperation of their fellow workers to bring it about.

There are southern cities, Memphis, Little Rock, for instance, in which marked improvement is being made in the Negro's economic condition, but not through F. E. P. C. It would be enlightening perhaps to have a survey of the total results—not alone of particular discriminations and what happened to them, but of the collateral results in terms of community attitudes and race relations. Statistics do not tell the story. The record will indicate for example that the seven employees out of 11,000 working for the transit company in the Philadelphia controversy are in the better jobs into which they were forced by F. E. P. C. orders but recently I asked a Philadelphian who knows the city well and whose concern for justice for minorities is unquestioned "What did the incident accomplish for Negroes in Philadelphia? Is the outlook better or worse for them?" The answer was, "Definitely worse!"

I also wrote to a number of friends in Southern cities about the F. E. P. C. I did not want to do the agency an injustice. I wrote to those who would have a bias for rather than against the agency if emotions should be involved. I asked simple questions, mainly related to plant operations. Has it worked, has it done any good? Although all but 2 of about 15 have already replied, not a single plant situation has been cited and not a single improvement for Negroes under F. E. P. C. auspices in 9 Southern States has been reported.

One newspaperman told me of some splendid work being done to assure fair treatment for Negro workers in his section, but not by the F. E. P. C. He said, "There is still a long way to go before Negroes reach job parity with white production workers but progress has been made. I would much prefer to see a continuance of a progress along these lines than to risk the injection of F. E. P. C."

The disastrous results of F. E. P. C.'s attempted coercion in situations in which there is a large Negro population do not cancel the arguments for counsel and service in the employment field by Federal authorities. They do, however, prove that something of great value to the Negro, namely, the esteem and good will of the majority group, is lost when attempts are made to force action. This is my third objection to the Norton bill; if serious efforts are made to enforce it the bill will be a fatally divisive influence and will retard the development of harmonious relations for years to come.

It is apparent that employers—even the most progressive—fear the continuation of an agency upon which such sweeping powers are conferred. These fears are understandable. If a judicial point of view were guaranteed and if the techniques of adjustment were in the hands

of those acquainted with local circumstances that fear would not exist to such a degree.

That fear would not exist if controls authorized by the bill were dependent upon action by the States or localities to be affected. Men do not fear their neighbors, but they do fear an effort to force conformity to patterns which they have had no share in making and which may be imposed upon them without reference to their special situations.

The practical side of this is that employers fearing compulsion with regard to upgrading and promotion of groups of workers will reduce to a minimum the number of minority group members in their plants. One observer writes me:

I doubt very seriously whether equality of treatment can be legislated. The more likely result will be if the attempt is made that the minority groups will receive treatment as a class and as individuals will be given less opportunity because of the fact that individuals were recognized for their worth that force will be used to confer these advantages equally upon the class.

The natural result will be that when the slowed-down tempo of peace employment comes the employer will say, "I won't try to expand my operations—I won't hire because I can't choose whom I take on. I won't promote individuals on merit because it will create demands by the group."

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. I think the gentleman is speaking to a favorable audience, and some of those who ought to hear are not here, and I make the point of order that a quorum is not present. I make it on the understanding that there will not be a motion to adjourn.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. RUSSELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 58]

Anderson, N. Mex.	Daughton, Va.	Heffernan
Andresen, Delaney,	Hendricks	
August H.	James J.	Hobbs
Baldwin, Md.	Dickstein	Hollifield
Baldwin, N. Y.	Dirksen	Holmes, Wash.
Barden	Domengeaux	Howell
Barrett, Pa.	Eaton	Izac
Barry	Elliot	Jackson
Bates, Ky.	Elssesser	Jennings
Beall	Fallon	Jensen
Bender	Fellows	Johnson, Okla.
Bennett, Mo.	Flannagan	Kearney
Bland	Fogarty	Kefauver
Bloom	Fuller	Kelley, Pa.
Bradley, Mich.	Fulton	Keogh
Bradley, Pa.	Gardner	Kerr
Brumbaugh	Gary	Kunkel
Buck	Gerlach	Lane
Buckley	Gifford	Lea
Bunker	Gillespie	Link
Burgin	Gore	Luce
Canfield	Gorski	Lynch
Case, S. Dak.	Granahan	McGlinchey
Chenoweth	Green	Maloney
Clark	Gwinn, N. Y.	Manasco
Clements	Hall, Edwin	Marcantonio
Cochran	Arthur	Mason
Cole, Mo.	Hall	May
Cooley	Leonard W.	Morgan
Corbett	Hancock	Mott
Curley	Hart	Norton
D'Alesandro	Hartley	O'Brien, Mich.
	Havenner	O'Toole

Pace	Robinson, Utah	Thomas, N. J.
Patterson	Rockwell	Thomason
Peterson, Fla.	Roe, N. Y.	Torrens
Pfeifer	Rogers, N. Y.	Trimble
Philbin	Ryter	Vorys, Ohio
Ploeser	Sabath	Vursell
Powell	Sharp	Wadsworth
Powers	Sheppard	Walter
Price, Fla.	Sheridan	Weaver
Quinn, N. Y.	Short	Welch
Rabin	Simpson, Pa.	Weiss
Rains	Slaughter	Welch
Rankin	Smith, Va.	West
Rayfield	Somers, N. Y.	White
Reed, N. Y.	Stewart	Wilson
Rich	Talbot	Winter
Richards	Talle	Woodruff, Mich.
Rivers	Taylor	Worley

The SPEAKER. On this roll call 281 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. HAYS. Mr. Speaker—

Mr. LAFOLLETTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. LAFOLLETTE. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas may proceed for 15 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HAYS. Mr. Speaker, I think it may be said with reference to the quorum call that it was not at my request; but I am grateful for the opportunity to continue a while longer in explanation of my position regarding a measure that has engaged the attention of the Congress for many weeks.

It has been the feeling of the distinguished gentleman from Indiana [Mr. LAFOLLETTE] and myself that in the midst of war it would not be becoming to add anything to the divisive influences that grow out of this problem. We will require in the solution of the problems of race relations all of the good will, all of the wisdom, that we can summon. I have faith in the people of my region, both its white leadership, and the Negro leadership. The case against F. E. P. C. does not rest upon distrust of the Negro race or any other minority. I wish there were time to tell you some of the exploits of the race. I refer for example to Charles Johnson, an instructor at Fisk University, and President F. D. Patterson, of Tuskegee Institute, as persons to be looked to for sound advice, and while I do not expect and do not imply by this compliment that they will agree with all of my conclusions, it is this kind of leadership that will best help the Negro race.

On the other hand there are certain self-appointed spokesmen for the race who have shown by their words and actions that they are willing to jeopardize the country's war effort to achieve certain domestic objectives. They have denounced the best friends the Negro has among the white people. They have tried to destroy the influence of such men as Mark Ethridge, Virginius Dabney, and John Temple Graves, and they have succeeded temporarily in marring the spirit of good will and confidence that has existed between such liberal white leadership and the Negroes of our region. They will denounce me for this speech

and they will undertake to poison the minds of their constituency against everyone who pleads for moderation and faith. Their reliance is in political pressure and legal coercion. They are willing to subject their race to the bitterness and distrust that must inevitably follow that course, although extremely few of them live in the South where estrangement may affect the daily lives of Negroes.

I am therefore determined to do everything I can to change that trend and to help establish or rather to restore those contacts between the races that make for the constructive improvement of both.

We are simply insisting upon a regard for the facts. When Mark Ethridge said that segregation must be accepted in the South he was not theorizing but was stating a fact. When Virginius Dabney reminded the Negroes that their advancement to a more desirable economic position could not come overnight, he was being factual. When John Temple Graves asserted that whatever the reasons for their condition the Negro as a group does not now have the industrial qualifications possessed by the white workers, he was not moved by prejudice against them; he was facing reality. When such factual approaches to a tough problem result in bitter condemnation by the extremists, both Negro and white, it is time for counsel from a wiser leadership and I know it is available. Such narrow-visioned and violent leadership should be repudiated so that faith in the processes of conference and mutual trust can be restored.

We cannot help the Negro help himself unless that is done. The process is vital; it is more vital than objectives. To think otherwise is to lean toward the totalitarian idea. Some of Hitler's objectives, full employment, good pay, stability, efficiency, were not objectionable. Enthusiasm over objectives, particularly the economic ones, should not cause us to forget that democracy is a process.

An inferior status is never accepted complacently by a group. It is a fine quality in human life that men continually seek even against overwhelming odds to advance and certainly I do not condemn any individual or race for that. No policy of government could stifle that force, but the less favored group might keep in mind that this is not due to perverseness of the other race, it is a part of the phenomena of human society. The Negro knows that white people as a race are not oppressive and unjust. His southern leaders are telling him through the din of agitation to have faith in his white friends, that as a class they are not predatory. Individuals of both races may be predatory. A little known fact of pre-Civil War history is that a certain number of free Negroes prosperous enough to do so acquired slaves of their own color. Ponder the fact that some of the worst forms of exploitation of low-income Negroes today are by members of their own race. But it is an individual not a racial characteristic.

There is not time to do any more than this. If I transgress on the time of the gentleman from Indiana, I wish he would please call me, because he has been so

fine and understanding that I certainly would not offend. I have talked out of my heart to you today because this disturbs our people down South. It is not said with rancor, it is not said to deepen the cleavages between the races. I have made that very clear. For the three reasons I have given, first, the plan is unsound from the standpoint of fundamental principles; second, it is unworkable; and third, it will create distrust and antagonism between groups, I am opposed to this bill.

But I talk to you as men who want to bring an understanding attitude to the most difficult, the gravest, the most delicate problem that faces us. We are in a political position. We must prove the soundness of this idea of government by the consent of the governed. I know that sentiment will not support this measure. I know there is evidence of a practically unanimous opinion on that point in a region where three out of four Negroes are living.

On that basis I ask in all seriousness and with the deep conviction that years of interest in the problem of building good race relations have built up, do not permit this coercive measure to become law.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I would like to yield for any questions. I have reserved the rest of the time for questions if there is any time. Otherwise, I shall have to yield the floor to the gentleman from Indiana. Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER. The gentleman has 17 minutes remaining.

Mr. HAYS. May I ask the gentleman from Indiana how much of that time is his?

Mr. LAFOLLETTE. Fifteen minutes.

Mr. HAYS. I have just 2 minutes remaining.

Do not overlook the fact that this bill gives great and sweeping statutory powers to a commission for the control of mental attitudes.

Mr. GOSSETT. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I am sorry.

Mr. RANDOLPH. Mr. Speaker, I understood the gentleman was not yielding.

Mr. HAYS. Does the gentleman want to ask a question?

Mr. RANDOLPH. Yes. Mr. Speaker, I have a very personal affection for the able gentleman from Arkansas, and I respect, of course, as all of us do, his mental honesty. I disagree with him on this matter, as there will be disagreements among many Members on the subject. I do desire, however, to have an expression from the gentleman. We have heard the proponent of the legislation, the gentleman from Indiana [Mr. LAFOLLETTE], speak, and now the opponent, both of whom have been fair and have made splendid provocative presentations. I am wondering if the gentleman from Arkansas would say it was political when both the Republican Party directly in its platform, and the Democratic Party, by indirection, or by purpose, endorsed the principle of such legislation.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I am sorry I cannot yield.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Mr. Speaker, I am now speaking on the time of the gentleman from Indiana [Mr. LA FOLLETTE], and unless he feels the time should be yielded, I must yield the floor to him. I am terribly sorry. I yield to the gentleman from Indiana.

Mr. LAFOLLETTE. The gentleman from Arkansas [Mr. HAYS] may answer that question if he desires.

Mr. RUSSELL. Mr. Speaker, I will say that is unfair. If he answers that question, we want him to answer some of the other questions.

Mr. HAYS. I shall not take the time to answer the question of the gentleman from West Virginia [Mr. RANDOLPH]. May I impose to this extent upon the good nature of the gentleman from Indiana to say that I am grateful, profoundly grateful, to him. In his spirit of calm discussion, and only in that spirit, should the final issue be determined. To conclude I have tried to say just this, that the preservation of the rights of all workers, Negroes, and others, lie in their identification not with some minority, but with the majority, the majority of Americans, the overwhelming body of Americans who believe in the rights of the individual citizen around whom all the concepts of democratic government are built.

Mr. LAFOLLETTE. Mr. Speaker, will the gentleman from Arkansas yield to me the balance of his time?

Mr. HAYS. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana.

Mr. LAFOLLETTE. Mr. Speaker, some of our colleagues have come in since we started. It was agreed by the gentleman from Arkansas and myself that we would debate this legislation, and, insofar as we could, confine it to a debate between ourselves.

I opened some time ago and used 29 minutes of my time. The gentleman from Arkansas [Mr. HAYS] has used other time, with the understanding that he would yield back to me approximately 15 minutes, which he has done. Under those circumstances, we are rather bound not to yield. I hope the Members will understand what that arrangement was.

Mr. RANDOLPH. I would like to withdraw the question, then. I did not understand that an agreement had been made whereby formal speeches, but not questioning were in order.

Mr. LAFOLLETTE. Those were circumstances, and it is very fair of the gentleman from West Virginia to graciously accept them.

This started out and will end, I hope, on the same unemotional plane upon which we are attempting to debate this legislation. I have been granted the right to revise and extend my remarks. There are certain technical arguments which I will include in my written remarks that I do not have time to make now. There are certain things I want to say now in answer to the argument made by the gentleman from Arkansas [Mr. HAYS], which you have heard.

In the first place, I have not raised, nor do I intend now to raise, any inference that all the prejudice and all the discrimination lies in any geographical area of the United States. I am well aware of the limitations of many of us who live in the so-called North. I think I am aware of the fact that there have been debates in the past as to what are the basic causes of this situation, or rather who was to blame most, the trader in slaves from the North who brought the black man here, or the people in the South who utilized them. I do not think any of those things make any difference now. We are living in a country which professes to believe in the full rights of the individual. We are living in a country which professes to believe in Christianity and Christian ethics as expressed in democratic principles. This is not a question of granting rights to people as minorities. It is a question of casting the scale from our own eyes, our own minds, and our own consciences, which prohibits us from seeing that all men are equal under God, that all men in this country must have a full opportunity to live as full men. Since most of us live by bread as well as by spiritual things, it is not enough to say in this democracy that a man has the right to vote, the right to select people to represent him, and then because of an ethically unsustainable prejudice to continue to maintain this discrimination, which says that the black-skinned citizen has not the right to economic full opportunity.

Very recently our thoughts with reference to government and the purposes of government have changed. Any person who owns private property and uses it for the purpose of trading and developing wealth and the employment of people holds that in trust for the benefit of all the people of the land. All of the people of the land, acting through their representative body, this Congress, have a right to impose terms upon that trusteeship. Now if you do not believe that, if you do not understand that, just as certain as the day follows the night, the masses of people in this country, without regard to color, who work, whether with their hands or with their brains, but who do not own, will turn to some form of economy which they think will give them that opportunity. In that event they will turn to an economy in which the Government operates business and controls the rights to jobs. I do not want to see that happen.

There is talk here about agitation. Why, Mr. Speaker, if we fail to practice the requirements of the Christian ethic, in which we believe, which states that all men are of one blood and that there must not be discrimination against a man because of his color, the people of America will cast aside their belief in this Christianity and then will be created a field in which the Communists, whom so many fear, can work.

That is all there is basically to this problem. We are not talking about the percentage of employment of any group. Let me give you this thought: Do not say, "What a bad disposition that handsome girl has," but think for a minute and say: "What a beautiful body that

disagreeable soul has." These things of skin, and color, and race, and origin are not essential things. The errors and the prejudices that we have been subjected to have arisen out of failure to understand the true nature of man.

Where a condition has existed for over a hundred years and has failed to be remedied despite all the attention and education we have attempted to give it, then a representative government of the people is acting within its democratic processes and according to its democratic obligations when it says that the Federal Congress can pass a law which can have an enforcement power to eliminate by administrative processes discrimination, which is the product of an anti-Christian and undemocratic prejudice.

EXTENSION OF REMARKS

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution from the Assembly of the State of California; also to extend in the RECORD the context of a bill, H. R. 2941.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a constituent and my comments thereon.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CRAVENS asked and was given permission to extend his own remarks in the RECORD and include an editorial.

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 45 minutes.

WAR CRIMES, WAR CRIMINALS, AND PUNISHMENT

Mr. CELLER. Mr. Speaker, I desire this afternoon to talk about war crimes, war criminals, and punishment.

The curve of excitement in the war crimes graph rises again. Throughout the length and breadth of the United States, throughout the length and breadth of England, once more people stand aghast at the revelation of bestiality, at the design of horror. Newspaper pictures feature piles of corpses, the hollow faces of starved prisoners of war stare at us from Sunday supplement pages. Waves of revulsion seize us and off to view the scenes are Members of the British Parliament and Members of the United States Congress.

Detailed reports will come back to us and, doubtlessly, we shall listen with shocked attentiveness. Then what?

Will we then realize the moral and political significance of these revelations? Will our resolve to do something sustain itself in the days that follow? Or shall we simply reach a high point of horror and subside into apathy as we have done before?

The reports of the War Refugee Board, the reports of the death camps at Maidanek, Treblinka, Oświęcim produced, if not the same, then a comparable degree of revulsion.

Mr. Speaker, I read the following from an editorial from the New York Herald Tribune of recent date:

IT IS NOT PROPAGANDA

A day or two ago an American sergeant, a young man brought up on the peaceful, sunlit levels of Long Island, stood in a foul brick building in what had been a German concentration camp at Gardelegen, near Magdeburg, looking at a heap of hundreds of charred, still smoking corpses. "I never was so sure of exactly what I was fighting for," he said, according to the Associated Press report. "Before this you would have said those stories were propaganda, but now you know they weren't. There are the bodies, and all those guys are dead."

Gardelegen, Belsen, Buchenwald, Ohrdruf, Limburg, the execution factories uncovered earlier in Holland and Belgium and France—here is the unanswerable ocular evidence confirming the unbelievable things we had heard before about the Polish ghettos, about Oświęcim, about the crematoria in Russia and before that about Dachau. At first one did not believe it. Even now the mind refuses to dwell upon it. But the facts are there. Heaps of charred bodies are not "propaganda."

One cannot hide under the comfortable defense that it is all just propaganda or exaggeration, because it is not. The depths of sadism and brutality which were released when Naziism deliberately turned its back upon the dignity of the individual and built a philosophy of government upon the denial of the moral code of civilized man constitute one of the fundamental facts of our age.

We knew these indecencies, these outrages, were taking place. We knew that the perpetrators of these crimes were acting in accordance with the decrees of their government. We knew these were not sporadic outbursts of criminality. We knew it was the deliberate plan of the enemy, its preconceived weapon in the waging of a war. These we, the Members of the United States Congress, knew, and yet, sunk beneath the weight of apathy, we sat back and permitted the snail pace of a United Nations War Crimes Commission to take charge; to take charge, what's more, in secrecy, behind the cloak of anonymity. Now we are aroused. The terrible truth has been pressed upon our consciousness. Our soldiers are the victims of Nazi sadism. Our civilians are the victims of Nazi cannibalism. Almost 2 years the United Nations War Crimes Commission has been functioning and how much nearer, may I ask, are we to learning what it is all about? What policy, if any, has been pursued? What are its findings, its recommendations, if any? What is there about the whole subject of war crimes that must be cloaked in secrecy? How much longer do we have to wait before the wheels of justice are really put into motion?

I introduced House Joint Resolution 93, a bill to set up a commission to be composed in part of Members of Congress to act as a watchdog, to prod into action whatever agency is in charge of war crimes, to see to it that what happened after the last war would not happen again. As you know, after the last war, of all the war criminals, actually 12 were brought to trial, 6 sentenced to ridiculously light sentences and of those 6, 2 escaped. It is little wonder then that the Germans supposed the world would countenance once more the com-

mission of outrages. But the State Department reported back to the House Foreign Affairs Committee before which hearings on the bill had been held that such a committee as embodied in my bill would be superfluous. Superfluous? And yet, before many days had passed, General Eisenhower had invited Members of Congress, as vitally interested people, as people whose concern it must be, to view the extent of the crimes. Prior thereto the British Government invited Members of the House already in Europe to view the results of Nazi atrocities. Nor can we afford to forget that the State Department, which more than any one body knew, or should have known the seriousness of the war offenses committed, supinely accepted the dropping from its appropriations the sum of \$25,000 to permit the United States to keep its representative at the U. N. W. C. C. It never took the pains to make known the necessity for having our representative at the Crimes Commission—did not care; or was not the problem important enough for the State Department to be bothered with? And yet, it calls the creation of a congressional committee to watch the operations of the U. N. W. C. C. superfluous; calls my resolution to rip aside the veil of secrecy superfluous; calls my resolution to keep us constantly informed unnecessary.

We, the Members of Congress, are concerned with the nature of the problem of the trial and punishment of war criminals in a very definite way, just as we are necessarily concerned with any one problem, the solution of which is inextricably woven into the establishment of a just and durable peace.

For Congress to look once upon the scenes of the crimes and to report once is insufficient. Congress must take more than a momentary hand in one of the major problems of this war.

Let us go into these latest revelations a bit deeper. In accordance with the Geneva Convention the Red Cross has the right—the right, I emphasize—to visit prisoners of war camps. These killings, the starvations, the abuses, did not happen all in one day. They were prolonged operations. Did not the Red Cross know about them? If not, it failed in its duties. If it did, to whom were these atrocities revealed. Assuredly, we were not told. Who was told? The State Department? What, if anything, has the State Department done to accelerate action on the trial and punishment of war criminals? Has the State Department as yet accepted officially any of the recommendations of the Crimes Commission? Have we not a right to know? Who is responsible for this silence? What in thunder is so sacrosanct about the subject that matters of policy are kept in the dark, that we, as members of Congress are met with stony-faced silence in requests for action.

The mothers of these prisoners of war, murdered or tortured by Nazis, had been led to believe that their sons as prisoners of war were being treated by the Axis in accordance with the Geneva Convention. What shall we, who represent these mothers, say to them? Shall we say politely, "See the Red Cross or go to the nearest official of the State Department?"

Herbert C. Pell: Here is your erstwhile member of the United States War Crimes Commission, who testified before the House Committee on Foreign Affairs, that he, as a representative of the United Nations War Crimes Commission, made recommendations to the State Department as to the definition of war crimes, the types of courts to be set up, military as well as civil, procedures to be operative as to apprehension and custody of those criminals, the type of laws to be applied, the punishment, the terms, and the places of incarceration.

The entire program I am informed, has been outlined with great detail to the State Department, but no instruction has been received as yet, though months have elapsed, with reference to these recommendations made to the State Department by the United Nations War Crimes Commission, through Mr. Pell. Therefore the action of the Commission is stymied. They cannot do anything unless they get an answer as to the policy of the State Department. Similarly, I presume the British Foreign Office has refused instructions. I presume the U. N. W. C. is thus become a mere facade or front for the State Department and the British Foreign Office. It protects these two departments.

Will Congress stand any further for such inaction? Will the public stand for it? Do we not need some sort of a watchdog such as is embodied in my bill, to stand in the background, a committee or commission composed in part of Members of Congress, to checkmate apathy and diplomatic niceties that befog and becloud action, prevent legal pettifoggery and prevent political chicanery? Meanwhile, all action is stalemated. Both our State Department and the British Foreign Office must be smoked out. It would be tragic to wait for V-day. Confusion then would overwhelm judgment.

I have before me something that has not yet been published anywhere. The statement I hold in my hand is a statement of the work of the War Crimes Office of the Judge Advocate General's Office of the War Department, presided over by Maj. Gen. Myron C. Cramer and his assistant, Brig. Gen. John M. Weir. It is a complete program as to the trial and punishment of war criminals. What has happened? The War Department, the Army, is raring to go. It is chafing at the bit to get its hands around the necks, as it were, of these foul Nazi offenders, but the State Department holds the War Department back. That is a horrible statement for me to make but it is the gospel truth. I received this report, which I now put in the RECORD, from the Judge Advocate General's office this afternoon. I was furthermore told that the State Department prevents action by the War Department.

Think of the implications and the repercussions from that. The big three at the Crimes Conference stated that the various governments in control of Germany would be enabled to get after these war criminals, these Axis sadists, these Axis jackals and cannibals, and despite that high authority, the State Department nonetheless holds back the very agency appointed in pursuance of

the Yalta Agreement so that these criminals could be brought to book.

APRIL 21, 1945.

STATEMENT OF THE WORK OF THE WAR CRIMES
OFFICE OF THE JUDGE ADVOCATE GENERAL

(By Maj. Gen. Myron C. Cramer and his assistant, Brig. Gen. John M. Weir)

A war crimes office has been established in the office of The Judge Advocate General of the Army. The mission assigned includes the collection from every available source of evidence of cruelties, atrocities, and acts of oppression against members of our armed forces or other Americans, including the people of any dependencies of the United States, such as the Philippines; the examination, evaluation, and organization of such evidence; arranging for the apprehension and trial of persons against whom a prima facie case is made out, and for the execution of sentences which may be imposed. The Secretary of the Navy has provided for participation through a Navy Division and Navy personnel. The agency thus established is authorized to act as a national war crimes office, like the similar offices established by some others of the United Nations.

1. Organization of the office: The war crimes office is a part of the Office of the Judge Advocate General of the Army in the War Department at Washington, D. C. It is directed by an Assistant Judge Advocate General with the grade of brigadier general, and includes Army and Navy personnel and civilians. All officer personnel are lawyers and the great majority are especially qualified by experience in the prosecution or investigation of criminal cases. At this time the office is organized into divisions for the European-Atlantic and Asiatic-Pacific areas, a Navy division, a common information division, handling the collecting of information from every source, and an executive division for the purpose of administration.

2. Methods of contact and general procedure: Within the United States contact is maintained with, and information derived primarily from, other Government agencies, such as the Office of the Provost Marshal General, the Military Intelligence Division, the Office of Naval Intelligence, the Army Air Forces, the Office of War Information, the Federal Communications Commission and from the Department of State. Constant personal liaison with these agencies is maintained by a representative of the war crimes office and all information brought to the war crimes office and analyzed.

For the purpose of this report, the cases can be considered in three categories: (1) Cases requiring investigation only in the United States, (2) cases requiring investigation only within a theater of operations, (3) cases requiring investigation in both the United States and in a theater. In all of these cases, the information is sent to the theater immediately upon receipt regardless of whether the investigation has been completed.

Branch offices either organized or in the process of establishment include the European theater, Mediterranean theater, Central Pacific areas, and Southwest Pacific area. These are a part of the Judge Advocate's section of each headquarters with their primary function the investigation of alleged war crimes and the collection of evidence relating thereto, including, for transmission to the governments concerned, evidence relating to war crimes committed against nationals of other United Nations and other atrocities. Offices subordinate to those of the theater commanders are being organized in each Army group and the channel for information is the same as for courts-martial. The Navy channel is through the legal officers of all fleets and stations. Information from the field has heretofore been in the form of written reports to which the sworn statements of witnesses are attached and in some

instances by reports from boards of inquiry which have conducted investigations.

Present plans call for an aggressive investigation program to be undertaken in which traveling-investigating detachments will go from place to place, each to consist of four officers and five enlisted men. Effort is made to identify the personal perpetrator of the offense, but where this is impossible, attention is given to developing a pattern from which responsibility may be fixed.

The recording and filing system is based on that of the Federal Bureau of Investigation, which is the investigatory branch of the United States Department of Justice. Complete files are maintained by categories of crimes, which are also divided into major geographical divisions. Each master file contains four major headings: (1) Summary of crime, (2) witnesses or other sources of information, (3) comment and notes, (4) recommendations. As the bulk of the cases are eventually to be tried by courts which will sit outside the United States, the original files will be sent to the field with duplicates thereof kept in the Washington office. Offices in the field investigate offenses against both members of the armed forces and civilians in the field investigate offenses against American civilians have been committed in the Philippines during occupation by the Japanese and great importance is attached to these offenses.

I am quite sure the Members of Congress realize the need for prompt action, particularly in the examination of records and for the preservation of testimony and evidence. Witnesses disappear or become reluctant to testify, accused defendants deliberately lose their identity, they assume other names and stations and become lost in the shift of population. Thousands of depositions must be taken while memory is still fresh. That is why it is so important to establish policy, for without policy nobody can know in what direction to proceed. This policy must be established with promptitude. That is exactly what the War Department wants to do. It has arranged for the taking of these depositions while the memory of events is fresh, yet the State Department says no.

I am glad that the gentlewoman from Massachusetts [Mrs. ROGERS] has come in the room because I am going to appear before her committee tomorrow, and I wish she would wait a moment and listen to what I am saying because of the importance of the resolution which is pending before the gentlewoman's committee.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I shall be very glad to listen. If the gentleman will recall, I was the first Member of Congress to criticize and condemn Hitler for his treatment of the persecuted minorities, and for a good many months I was the only one to do so. I saw the handwriting on the wall in those days, and I never ceased to have that belief.

Mr. CELLER. I will say to the gentlewoman that is not sufficient, although I do congratulate the gentlewoman upon her foresight because I, too, saw eye to eye with her on the subject. But that is not enough.

Mrs. ROGERS of Massachusetts. I agree with the gentleman.

Mr. CELLER. I am sure the lady, always gracious and wise, would always say and do what is right and fair. We have had a cascade of words. We are through with words. We want words implemented by action.

Mrs. ROGERS of Massachusetts. I agree with the gentleman thoroughly.

Mr. CELLER. I thank the able Representative from Massachusetts. We want action from the top to the bottom. The time is past for words. We want something done. Nothing has been done. That is why I offered my resolution, to which, as I said a moment ago, the State Department said, "Superfluous—unnecessary," as you know. But you appreciate as well as I do that unless some watchdog, as it were, on the part of Congress, stands in the offing to prevent ineptitude and fumbling and the diplomatic befogging of issues, nothing will be done, and all we will have is what we had the last time—words, words, and more words—and then the new Kaiser or Fuehrer will become again a wood-chopper of Doorn, and von Tirpitz, and von Bismarck, and von Hindenburg, and von Mackensen—who has just been captured again—in the guise of Goering, Goebbels, and Himmler will rise like the phoenix from the ashes for a second time to continue their depredations and outrages. We do not want this to happen thrice, but it is going to happen thrice unless that cascade of words which I have indicated is implemented by action, and unless action is taken with promptitude. I called attention, before the gentleman entered, to a very comprehensive report issued by the Judge Advocate General, outlining a complete procedure with reference to the punishment and trial of war criminals. And the State Department holds back the Judge Advocate General's Office from taking action. They have the men in the field in all theaters of operation. Not only in the Japan theater and in the Reich, and the Italian theater, but in all European theaters of operation and all through Asia. They are anxious to go, and they cannot budge an inch because of the failure of an announcement of policy on the part of the State Department and your Committee on Foreign Affairs has not seen fit to take action on my bill which would, in a way, prevent recurrence of the outrages that shame the world.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mrs. ROGERS of Massachusetts. Of course I am not responsible for the entire Committee on Foreign Affairs, as the gentleman well knows. Many times I have agreed with it. But it seems to be very significant that General Eisenhower has invited so many Members of Congress as can to see the atrocities at first hand.

Mr. CELLER. General Eisenhower realizes the urgency and necessity of Congress becoming interested.

Mrs. ROGERS of Massachusetts. I agree with the gentleman.

Mr. CELLER. Thanks heartily again. Congress has not been sufficiently interested. Congress has been too apathetic. Congress has taken no action and your committee has taken no action. What good is it for Congress to be only interested once and to go over and survey the results of these atrocities and come back and report. What good is that going to do us—another report? We have enough reports. The War Refugee Board made reports. We have scores of departmental reports; we have hundreds and hundreds of reports of eyewitnesses to these atrocities. It is nothing new. It is plain as the nose on anybody's face, so that he who wishes may read and understand.

Furthermore, Franz von Papen has been captured. Into whose proper custody has he been placed? What policy will be followed with regard to his status as a war criminal? None of these answers is known to us. The capture of Franz von Papen, Alfred Krupp, Manfred Zapp, Prince August Wilhelm of Prussia, Field Marshal von Mackensen, point up the urgent need for positive action, not merely words, by the United Nations, as to the punishment of the Axis generals and Axis culprits. Unless some definite action is taken, rascals like von Papen will escape the noose and the firing squad. It was disturbing to hear that Assistant Secretary of State James C. Dunn said he would only punish for specific crimes.

We might let out Krupp and von Papen. Dunn does not define what he means by "crime." The State Department has not accepted, by official act, the recommendations as to the definition of crimes by the United Nations War Crimes Commission. Such a delay is fatal and unpardonable. Let me read briefly from an editorial from the New York Post:

It was Franz von Papen who "sold" Hitler to the bankers in the famous conference in von Schroeder's house in Cologne so that 3 weeks later Hitler was in office. It was von Papen who talked Hindenburg into letting Hitler into the cabinet; it was von Papen who swung the Centrist support to Hitler, allowing him to dissolve the Reichstag; it was von Papen who helped betray Austria to Hitler.

Well, what has happened to this Typhoid Mary of fascism? At the moment, Franz von Papen is living in a private home in Rheims. The only sign he is a prisoner are his guards.

To a member of Parliament who asked what about von Papen, Minister of State Richard Law could only answer that he didn't know; his fate was under consideration.

If you asked Mr. James Dunn, I suppose he would say he did not know. In view of the fact that he said you could not punish except for a specific crime, like mayhem, arson, or murder, or theft, you could not punish von Papen, because you could not put your finger on a specific crime for which he could be held. But we know that he is the arch-conspirator with Hitler and Goering and Goebbels and Himmler, in the terrible things that have happened.

To go on with the editorial:

We don't know what to do with von Papen, Hess, Zapp. That is why American prisoners are being murdered today. The Nazi

leaders felt they had nothing to fear. They murdered 6,000,000 Jews, but nothing was done. In the words of the Czech delegate to the London War Crimes Commission, the Commission is honeycombed with "experts of international law who do nothing but invent hindrances to the effective punishment of war criminals."

Because we let Jews die and did nothing, because we squabbled over legal points, the Nazis felt they had acquired immunity. And so, from murdering Jews it was easy to proceed to killing Poles, then Russians, then Frenchmen, Britishers, and finally American prisoners.

The Post remarked long ago, "If we overlook planned murder when it happens to Jews, then some day we will find planned murder on our own doorstep."

We did overlook it. And the road led straight from dead Jews at Maidanek to dead Americans at Bad Heppenheim and Buchenwald.

For heaven's sake, for the sake of the murdered and dying at Buchenwald, let us put an end to the farce.

We recommend that Congress act on Congressman CELLER's suggestion.

He says that von Papen and all like him should be tried at once.

What we want to know is, will there be trials, and, if so, what categories of criminals have been formulated and what pleas of defense will be admitted into evidence? Superior orders? The heads of states? Will they face trials or will they be subject to political disposition? We do not know. Why is the State Department behaving as if it were guarding a skeleton in its closet?

The excuse has been made that any official declaration might spur on the Germans to greater atrocities. This specious argument has blown up in our very faces. Nothing apparently deters these gangsters. That we knew or should have known these many years. We can just as easily talk the other way. The detailed announcement of actual plans for the trial and punishment of war criminals might have acted as a deterrent. Russia is trying its war criminals. We have not even got an official statement of policy so far as our Government is concerned. Most certainly, in spite of all pronouncements, the Germans have been led to believe that the United States will be lenient, and indecisive, and even apathetic. No wonder they have dared to carry on their nefarious deeds. Who kills and gets away will live to kill another day. Go back and see the records, read the newspaper files and magazine articles of 1917 and 1918 and you will swear you are reading publications issued yesterday, last week, today. Read what Teddy Roosevelt said, read what Asquith said, read what Lloyd George and Wilson said; you will swear you are reading what the late lamented President Roosevelt said, what Acting Secretary Grew has said, what Secretary Stettinius has stated. As I indicated before, all we had then and what we are getting now are words, words, and more words, an avalanche of words. Today as then we had indecision with dire results and consequences. We see the pattern being woven the same way; and again, unless my resolution is passed which is before the House Foreign Affairs Committee, we shall have that pattern woven exactly as it was woven in 1917, 1918,

and 1919. At that time we had, as you remember, 900 names of indicted Huns. Of the 900 there was a gradual whittling away until after 2½ years of pettifoggery and diplomatic niceties of inaction only 12 were tried. Where were they tried? They were not tried before an international tribunal because we in league with the Japanese—think of it—said: "There is no such thing as an international crime; and, therefore, there can be no such trial before an international court;" and we objected to an international court.

When the suggestion was made that the trials be had in the various national courts of the Associated Powers, the Germans, the Huns, had the hardihood to say and argue that there would be riots if they took Huns out of Germany and tried them in England or tried them in Belgium or tried them in France; and the State Department then listened attentively to that plea and said the Germans were right, and they did not dare extradite these foul offenders. What happened? We then let the Germans try the Huns, which is just like saying that Himmler, and Goering, and Goebbels could try Hitler; and vice versa. The trials were held at the German high court at Leipzig, the so-called Reichsgericht. Only 12, as I said before, were tried of the 900 indicted. Six of the 12 were acquitted, and as the 6 Junkers acquitted left the courthouse they walked on banks of flowers. They were heroes. What happened to the other 6 who were tried and convicted? Two lieutenants guilty of the foulest offenses, like firing upon hospital ships well defined and marked with the international Red Cross, were sentenced to 4 years each. They contrived very comfortably and easily to escape. Four others received sentences of 6 months each, most of which time they spent in their own homes.

That is what happened the last time, because we had only words, and we hearkened to those words, we were satisfied—we, the Members of Congress were then satisfied with words. Are we going again to be satisfied with mere words? Why the apathy of the State Department; why its inaction? Why have we not had action implementing those words? That is something to ponder over, something for you gentlemen and ladies to think about. I want action and I know you want action, and that is why I offer my bill. I am amazed that no action has been taken by the Foreign Affairs Committee of this House at this late day, when time is running, and time is of the essence. You cannot hesitate. On the plains of hesitation lie the countless bones of millions. The congressional Members who have gone abroad to witness these horrors will come back with facts of the crimes. Necessary as that is, it is not enough. Congress has not empowered them to see that action is taken in the apprehension of war criminals; they have no authority to study policy or investigate execution of whatever plans are put forward to punish war criminals. Let us not stop there; let us not listen to the reports with a satisfied feeling that we have done our duty and rest there. How many of us know what plans are being made for the trial and punishment

of Japanese principals? How shall we treat the Mikado? As a holy institution or as a mortal criminal? How treat the war lords? There are those who today find in the Mikado the focal point of stability for a defeated Japan. They plead for the safety of his person. Shall it be so? It is a vital question for you ladies and gentlemen to answer. Shall we have no hand in a discussion of this problem? We are beset with questions, and, apparently, nobody cares to answer these questions. I like the answer of Admiral Halsey. He said in a recent article in Collier's magazine that the Jap war lords, those responsible for the war from top to bottom, shall be punished, and went on to say in another statement outside of the Collier's article with reference to the charge that was made that our aviators were told to spare Hirohito's palace in the bombing raids on Tokio, that if in an overcast we happen to bomb the palace he hoped that they will at least spare the Emperor's white horse, because he wanted to ride it. I take off my hat to Admiral Halsey. The old sea devil has the right idea. I would like that he would go up to the State Department and read the riot act. I would like to have him whip it into some sort of action. There are those in the State Department who believe that the Emperor Hirohito must be spared. One, Mr. Eugene Dooman, special assistant, believes that. And there are those in the British Foreign Office who believe it. Sir Hugh Butler, British representative at the Institute of Pacific Relations, recently in Hot Springs, made the outrageous statement that we should spare the Emperor and the lords and the baron clique because they would be the only ones who would be able to control the Japs after the war.

As far as I am concerned, and I am sure as far as the rest of you are concerned, the Mikado, either god or devil, must go. In conclusion, the way the problem of war crimes is being attacked reminds me of a nearsighted man trying to cross the street, and I have the State Department in mind when I state that. He peers forward, hesitates, goes forward one step and back two, looks to right and then to left, and never once has noticed that the traffic lights are with him.

What are we afraid of?

In the name of generations yet to come, let us stop fumbling; let us stop talking; let us act.

EXTENSION OF REMARKS

Mr. LYNDON B. JOHNSON asked and was given permission to extend his remarks in the RECORD and include an address delivered by Justice William O. Douglas on yesterday.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD relating to an historical document, including three small newspaper items.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include an address delivered by the gentleman from Alabama [Mr. RAINS], and was also given permission to revise and extend the remarks he made in the House today.

Mr. RABAUT asked and was given permission to extend his remarks in the RECORD and include an article from the Washington Post on sterilization.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and to include a house concurrent resolution passed by the Ways and Means Committee of the Legislature of the State of North Dakota.

Mr. LEMKE (at the request of Mr. MUNDT) asked and was given permission to extend his remarks in the RECORD and include certain extraneous matter.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the remarks made by Prime Minister Eamon De Valera on the occasion of the adjournment of the Dail Eireann out of respect and sympathy to the American people on the death of President Roosevelt, a copy of the resolution passed by the Dail, and also a copy of a telegraphic message sent by Prime Minister De Valera to President Truman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under a previous order of the House the gentleman from South Dakota [Mr. MUNDT] is recognized for 30 minutes.

CONTROL OF WATER POLLUTION SHOULD BE A POST-WAR "MUST"

Mr. MUNDT. Mr. Speaker, the measure of a nation's greatness is determined in large part by the manner in which it utilizes and preserves its natural resources. War is a great destroyer of the natural resources which form the basic foundation of the ultimate greatness of any nation. Here in America during the past two wars we have demonstrated that our Republic, through the use of its free-enterprise system, and because of its splendid natural resources, has been able to create the war machines which, being manned by gallant young Americans in uniform, have won the greatest military victories of all times.

However, Mr. Speaker, these tragic wars have also demonstrated the importance and the significance of conserving and preserving the natural resources of this country and of utilizing them wisely. Of all the natural resources which we have in this Republic, water today suffers from the greatest amount of public neglect. In fact, water pollution is practically the last important uncontrolled, unregulated, and unchecked pagan practice continuing in the United States insofar as our natural resources are concerned.

We now have protection for our forests, whether they be national forests or State forests. We protect our communities and our citizens against disease epidemics. We have protection for our soil resources against depletion and unwise uses. We protect our game and our fish. We protect rare birds and rare flowers. We even provide smoke control in many of our congested cities. We have laws in municipalities guarding people against the practice of dumpage of garbage in places where it is not properly disposed

of. In everything but the matter of water pollution, itself, the public of this country has alerted itself to the significance of conserving our natural resources. Still water is the most basic of our natural resources.

It has up to now been left to polluters themselves to use it as they see fit or profitable, regardless of how completely that usage destroys the value of lakes and streams to the general public. This selfish, short-sighted practice must be stopped.

I submit, Mr. Speaker, that the time has now come when an enlightened American public insists that something be done to correct, curtail, and eventually stop the practice of polluting the public waters of America.

WHAT ARE THE TYPES OF WATER POLLUTION?

What are the types of water pollution? In the main, Mr. Speaker, there are three general types of such pollution.

The first is called individual or incidental pollution. This is a comparatively unimportant type but in the aggregate it does much to contaminate American waters. It comes from campers and picnickers throwing refuse into lakes and streams. It comes from the dumping of tin cans and broken bottles into public waters. It is occasioned at times by householders constructing private toilets too close to lakes or streams. It grows out of the general public indifference and apathy to the importance of keeping all polluting and destructive matter out of the public waters. Soil erosion, also, falls into this class of pollution.

The second general class of pollution is that which we might refer to as sewage from municipalities. This includes raw sewage from municipalities; it includes inadequately treated sewage; it includes many industrial wastes which are directed into streams and rivers without being put through modern and effective treatment plants. These pollutants endanger human and animal life, they destroy fish life, they kill aquatic plants, they create foul odors, and they ruin streams for recreational purposes. Many times these pollutants are bacteria producers and contribute a serious menace to the public health.

The third type of pollution is industrial pollution. These polluting discharges include acids, toxics, and poisonous or injurious fluids of diverse types. In addition to having all of the effects of the pollutants listed in type 2, they do injury to plumbing, they do injury to water pipes and metal containers, and otherwise add to the community tax burdens and to private expense.

Even some abandoned industrial enterprises like closed coal mines sometimes continue the ghastly process of emitting pollution from a closed mine, thus perpetuating far into the future the injurious effects of the industrial enterprise long after it has completed its exploitation of nature and moved away to begin the process anew in some other virgin area.

WHY IS WATER POLLUTION CONTROL IMPORTANT?

Mr. Speaker, the control and curtailment of water pollution is important for

a number of specific reasons. I should like to list some of them at this point.

The first is to save the Nation money. We are paying today the cost of correcting pollution without getting the correction, because of the extra charges needed in public health service, the extra cost of maintenance of boilers and water pipes and plumbing, and because of a great many other costs we are forced to meet due to the destructive influences of pollution.

Second. It is necessary to correct pollution to protect the public health, because such diseases as typhoid are caused by the use of polluted waters. There is much evidence to substantiate the belief that polio itself is in large part the result of stream pollution.

Third. It is necessary to protect private and public property values because a polluted lakeside or a polluted stream quickly destroys the real estate values in the pollution environment.

Fourth. Pollution control is necessary to protect many bathing beaches and public swimming pools.

Fifth. It is necessary in order to protect fishing and recreational opportunities.

Sixth. It is necessary to protect and provide commercial fish food, oyster beds, and fishing areas.

Seventh. It is necessary to correct pollution to assure the axiom of "the greatest good for the greatest number," being applied to the great natural resources of public water in the United States.

Eighth. It is necessary to correct pollution as a national defense measure itself because clean water and pure water is essential for military units and military establishments, for the maintenance and development of Army camps which have available the pure, clean water necessary to maintain good fighting tone and health.

HOW CAN WATER POLLUTION BE CORRECTED AND CONTROLLED?

Mr. Speaker, if we can conclude that the control of pollution is important, and I submit that it is, the question arises, How can water pollution be controlled?

Its only effective control must be at the national level because it is definitely an interstate problem of national consequence. In the first place, it deals with interstate streams and interstate watersheds over which State jurisdictions have no control.

In the second place, it involves industries doing interstate business and the only fair regulation of pollution is one which treats all competitive industries and businesses and communities alike. Consequently, it requires national attention and uniform regulation.

In the third place, bad pollution practices drive good pollution practices out of existence. Gresham's law of money operates with distinctive accuracy from the standpoint of pollution. Just as bad money drives good money out of circulation, bad pollution legislation or no legislation at all makes it extremely difficult for enlightened States to enforce good legislation which actually does something about the problem of pollution.

Each State, each industry, each polluter, wants the other fellow to act first,

and the result is that nobody acts as long as we leave it up to local control.

The fact that we have this pollution problem with us to such a serious degree, after over 150 years of organized constitutional Government in this country, indicates that it is not a problem which can be solved by local control. It is not one which can be cured by interstate compacts. Today the pollution problem is at an all-time high. Mr. Speaker, it is at an all-time high despite the fact that for more than a century and a half we have discussed, surveyed, analyzed, studied, debated, and diagnosed the pollution problem and made feeble and futile gestures against it through State legislation, through local reforms, through interstate conventions, and through municipal action.

A remedy for pollution is needed and that remedy must be one which provides for uniform Federal action. The last great unused study authorized by Congress was House Document No. 266 which, incidentally, cost the taxpayers of America over \$600,000, and which studied the problem of Ohio River water pollution, a problem which has been studied ad nauseam but which still continues to become more greatly aggravated year after year.

POLLUTION HAS LONG BEEN A POLITICAL ORPHAN

Practically all other uses and abuses of the public waters are now under Federal control except the sole matter of pollution. Hydroelectricity has received Federal attention. Irrigation is developed on a Federal level. Navigation has Federal regulations safeguarding it and developing it. Flood control is a national water problem and is receiving national attention. I say, Mr. Speaker, that with the singular exception of pollution, practically all other problems involving the rivers and the interstate lakes of this country are met at the Federal level. Only in the case of pollution have selfish industrial polluters and short-sighted communities been successful in preventing appropriate corrective legislation.

When State legislation is attempted to meet the pollution problem, the offenders cry out, "Unfair, unfair; this is a national problem." When national legislation, such as my bill—H. R. 519—is introduced, the same offenders evidencing greater versatility than logic, protest, "No, no; leave this to the States and to interstate compacts. You must protect States' rights and this is a local problem." Thus the problem grows steadily worse and the correctives are repeatedly delayed.

H. R. 519 IS BASICALLY SOUND AND ACCEPTABLY EFFECTIVE

The approach to pollution control which I recommend is outlined in what is known as the Mundt bill, H. R. 519, which I introduced on the opening day of this Congress. The following month Senator MYERS, of Pennsylvania, introduced an identical companion bill, known as S. 535. I believe my bill is basically sound, and I believe it is acceptably effective.

It grows out of earlier legislation which I first introduced in the House during the Seventy-sixth Congress. It supplements action taken by this House

in the Seventy-sixth Congress, when, by a roll-call vote for the first time in American history this body outlawed the instigation of any new forms of water pollution by its adoption of an amendment which I introduced to the so-called Barkley-Spence bill. Unfortunately that amendment failed of approval in the other body, and consequently that forward-looking, progressive action taken by the House in the Seventy-sixth Congress was never actually implemented into completed law.

Mr. Speaker, the legislation which I have introduced, H. R. 519, and which is now before the House Rivers and Harbors Committee awaiting hearing, is not drastic legislation. I hope the hearings will shortly be started on this legislation as well as on all other pollution measures introduced in the present session of Congress. I have requested that those hearings be forthcoming. The chairman of the Rivers and Harbors Committee has requested reports from the departments downtown and I believe the public of America has the assurance that sometime during this current summer hearings will be held on this problem of pollution.

In brief, my bill meets the test which it seems to me any pollution legislation must meet if it is to be judged as adequate and as acceptable and as a workable piece of legislation. In the first place, it includes the philosophy, as I have stated, which the House has already approved, namely, that new sources of pollution be stopped now, so that we can define the problem as we now have it, and go about the task of correcting it without constantly aggravating the question with new sources of pollution.

In the second place, it provides a 2-year make-ready adjustment period, during which it permits polluters to continue their practices, because it gives them those 2 years of grace in which to adjust their manufacturing or mining techniques to meet with the new sets of controls. It puts the responsibility for showing why pollution should not be stopped at the end of 2 years upon the polluters, by stating that after the 2-year period all forms of pollution not specifically authorized by the Water Pollution Control Board shall cease.

In the third place, H. R. 519 encourages interstate compacts and local acts. It establishes authority for Federal action in the background, where States, communities, and industries do not and will not act at the local level, but it specifically provides that only in the cases where the individual State or the individual municipality or the individual interstate group or the individual industry fails or refuses to act, shall the Federal Water Pollution Control Act come into operation.

In the fourth place, it specifically exempts all pollution regulation which would interfere in any way with the war effort. Its control board is representative of both political parties. It represents both the legislative and executive branches of Government and all interested Government departments. It encourages and makes available additional resources for States and interstate

groups, to meet the pollution problem, but it holds in the background the strong, effective hand of the Federal Government in those recalcitrant cases where selfish or unenlightened communities or polluters continue the pagan practice of dumping poisonous, deleterious materials in the public waters.

In the fifth place, my bill, while being far from drastic, has teeth enough in it so that confirmed polluters are opposed to it and are seeking to defeat it by encouraging support for another "study-diagnose and delay" bill which is so palpably a polluters' pet that it does not even provide for stopping new sources of pollution. As a matter of fact, Mr. Speaker, it calls itself a water-pollution bill. Truthfully, it is precisely that.

Mr. Speaker, it seems to me that the Mundt bill is a rational approach to the pollution problem. This legislation has the endorsement and the support of a great many forward-looking organizations and a great many important individuals in America. Among those supporting it is the national division of the Izaak Walton League, which has its headquarters in the LaSalle Hotel at Chicago, Ill. The Izaak Walton League has long carried forward a great and effective educational program against pollution. Many other groups have also joined in insisting that this session of Congress do something now to make certain that in the post-war construction period pollution will be given appropriate attention.

If we are to have another public-works building program following this war or if we are to prepare for one which is to come along, should another depression set itself upon this country, certainly high on the list of priorities should be the matter of the building of pollution treatment plants, so that once and for all we can do something worth while about this basic natural resource, the public waters of America.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I am happy to yield to the distinguished gentleman from Nebraska.

Mr. STEFAN. The gentleman from South Dakota has been working long and effectively against stream pollution. What difference is there in this bill as compared with his original bill? What are the changes which meet the opposition to the original bill?

Mr. MUNDT. I am glad the gentleman asked me this question and I know he asks it as a real friend of clean stream legislation, because he has been very helpful in this rather long crusade to do something about the pollution problem.

In brief, the new bill is a less drastic bill than the old bill which we had before the Seventy-sixth Congress. It provides, as I have already stated, for this 2-year make-ready period. It also provides for the initial action to be taken by State groups or by interstate compacts wherever they will act.

It also is less drastic than my original bill because it provides that the Water Pollution Control Board shall have authority to grant extensions of time, 5 years at an extension, during which in-

dustries and municipalities which for any reason can show the Board that it is impracticable for them to act to correct their pollution may continue their present practices. Consequently, it provides that only in those cases where there is a practicable solution to the pollution problem can the enforcement features of the act be applied. There are other modifications and refinements as well.

Mr. STEFAN. Mr. Speaker, will the gentleman yield further?

Mr. MUNDT. I yield.

Mr. STEFAN. We are now about to do considerable flood-control work throughout the United States. Does the gentleman not feel that his proposed legislation should be acted on simultaneously with these other bills dealing with water control?

Mr. MUNDT. Precisely; and that is a splendid point, because it is much cheaper to prevent pollution before it begins than it is to correct it after it has started, and that is one reason why I have been so diligently urging Chairman MANSFIELD, of the House Rivers and Harbors Committee, to hold hearings on this bill.

Mr. STEFAN. What is the status of the gentleman's bill in the committee?

Mr. MUNDT. I believe the chairman of the Committee on Rivers and Harbors will call hearings within a few short weeks; I certainly hope he does. He is still waiting for a report from the departments downtown. But that report should not be much longer delayed. If it is I shall urge Mr. MANSFIELD to begin hearings without waiting further for the report.

Mr. Speaker, there is an economic aspect to this pollution matter that is sometimes overlooked by harried legislators and taxpayers who are confronted with the problem of pollution. As far back as 1915 the report of the Army engineer's office for the Pittsburgh area, for example, reported an annual loss from acid pollution alone—and remember that is just one type of pollution—reported a loss from acid pollution alone of \$11,202,956, covering actual repairs and replacements to plumbing, boilers, engines, boats, locks and dams, and for other water-treatment costs. Today the condition of that river and all rivers is infinitely worse than it was at the time those costs were calculated.

At Cincinnati and other Ohio River cities the river has become so bad as to tax the limit of the treatment plants themselves, and the people of those unfortunate cities are today compelled to rely for their drinking water upon a source which is in itself polluted from the sewage running out of the sewer pipes of those same communities.

Mr. Speaker, the fishing grounds and the oyster beds of this country have been jeopardized and in some degree have been destroyed by the process of pollution. Some of the former tremendous annual runs of shad and herring and other anadromous fish have now become history on many a river—have become history instead of recurring annual events because of pollution. The hundreds of thousands of acres of oyster and other shellfish beds which have been ruined, and destroyed, and aban-

done, the thousands of miles of inland streams devoid of valuable fishing resources, and the serious reduction in waterfowl through the agencies of pollution create an economic loss totaling up to a sum estimated by an article appearing in the American Nature Association Quarterly Bulletin for January 1939, to exceed \$250,000,000 annually.

We must add to that the fact that it has increased the cost of protecting the public health, and also has increased the danger to the life of large machinery. So that probably if we were to add all of the costs, direct and indirect, of the destructive effects of pollution, we would find that it greatly exceeded an annual loss of \$250,000,000. Some estimates in fact have gone as high as \$1,000,000,000 annually. I take only one-fourth of that, \$250,000,000, as the figure for this discussion.

This \$250,000,000 annual charge does not represent the capital cost, but is an annual recurring loss. It is a loss sufficient to pay 4 percent annual interest on a total amount of \$6,250,000,000, and that is a considerable figure, even in present-day arithmetic. Consequently I appeal to the Members of the Congress, and to the citizens of America, to wait no longer for a solution of this problem of pollution.

Let us be ready at the conclusion of this war to start a Nation-wide program of pollution regulation and control, with the establishment of modern disposal plants for the sewage of cities and industry. That will require planning and preparation. It will require the support of a Federal bill outlawing the introduction of new sources of pollution, and it will require reasonable, rational pollution-control legislation at the hands of the Congress. I submit that H. R. 519 presents that sort of program and I solicit the support of Congress for this legislation.

In conclusion, Mr. Speaker, I would like to call attention to the following excerpts from a recent editorial appearing in *Outdoor America*, official publication of the Izaak Walton League:

In August 1922, in the very first League publication, the late Dr. James A. Henshall said: "Pollution is the most important problem the League will have to solve," and in the following issue, "Federal control is the only answer." Today polluted waterways give mute testimony to the prophetic accuracy of these two statements.

In the intervening years, volumes have been written on pollution; millions spent in studying it; most States have enacted legislation to control it; many cities have built sewage treatment plants—but many more have evaded this responsibility—and proper treatment of industrial waste remains the rare exception. The net result is more water pollution than 23 years ago.

Under the previous public works program, the whole job of municipal pollution correction could have been done. But more cities, left to their choice, built luxuries while neglecting their pollution. With realistic regard for both the record and human nature, the Izaak Walton League advocates that in any new works program, sewage treatment for municipalities and public institutions lacking such facilities, be a condition of eligibility for Federal or State financial assistance for other public works.

We contend treatment works for such sewage constitute a "perfect natural for post-war work."

1. The need is obvious; the application widespread.

2. It is eminently fair, eliminating existing inequalities.

3. It will provide employment where most needed, because the degree of pollution is in almost direct ratio to the density of population.

Since the new Congress, rightly or wrongly, is devoting major attention to post-war plans, KARL MUMFORD introduced, and the league heartily endorses H. R. 519, to prevent pollution of the waters of the United States, and to correct existing water pollution as a vital necessity to public health, economic welfare, healthful recreation, navigation, the support of invaluable aquatic life, and as a logical and desirable post-war public-works program.

Some contend control of pollution is properly a State function. In reply, we cite the record. States have had control these many years while pollution has steadily become worse. Others advocate interstate compacts. Again, where is the interstate compact that has done a job or has clear authority to do so? Others recommend more study and investigation. A new Government report 6 inches thick covering another detailed pollution study of the Ohio River cost the taxpayers \$600,000. If there is any subject which has been investigated and reinvestigated to death, it is water pollution. The time for action on unused studies is long overdue.

In H. R. 519, all objections leveled at previous bills in the current Federal-control movement have been answered. Let us review these objections and see the answers:

1. "The bill is drastic and precipitate; industries must have time."

Answer: Section 8 reads, "The provisions of this act requiring abatement of pollution will take effect 2 years after passage."

Section 4 (c) provides, "Where compliance with standards of cleanliness . . . be impossible or impracticable before 2 years from date of enactment . . . the Board shall grant an extension of time not exceeding 5 years. . . ."

Then to be exceedingly considerate, the section adds: "If at the conclusion of such extension means for effective treatment have not yet been completed and the industry . . . can show to the satisfaction of the Board at a public hearing, as above provided, that it has diligently tried to comply, the Board may grant such further extension of time as may reasonably be necessary."

Could anything be more considerate?

2. "The bill invites unwarranted encroachment of Federal authority."

Answer: Section 5 says, "It is hereby declared to be the policy of Congress in the administration of this act to encourage State and interstate compact agencies to exercise their statutory authority in prevention and abatement of pollution and that action by the Federal Board will be taken only after such existing authorities have been given an opportunity to act, and 6 months after receipt of written notice from the Board have failed to do so."

Then section 7, after defining and outlawing pollution and providing for action in equity for its abatement, repeats this clear assurance.

3. "To pass such a bill would interfere with the war effort."

Answer: "Section 9 reads, 'None of the provisions of this act shall be applicable when the Secretary of War or the Secretary of the Navy shall have certified that the enforcement of such provision or provisions would be incompatible with expeditious progress of the war program.'"

States honestly seeking to do the job should enthusiastically welcome such Federal legislation. Only those who do not in-

tend to act need fear the Federal authority in the bill.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the Chair recognizes the gentleman from Nebraska [Mr. STEFAN] for 15 minutes.

Mr. STEFAN. Mr. Speaker, to focus the spotlight of publicity on the barbarous practices of Nazi and Japanese militarists against prisoners of war and slave labor would, at this time, be superfluous. The reports of General MacArthur and Brig. Gen. Carlos Romulo on Japanese atrocities in the Philippines graphically demonstrate the nature of our enemy in that theater of operations. General Eisenhower's request for Members of the House and Senate to visit Nazi prison camps, together with Members of the British Parliament, to see for themselves the unspeakable conditions which have existed confirms the stories of American war correspondents about the vile treatment accorded American and Allied prisoners of war and civilians of Czechoslovakia, Poland, the Soviet Union, Greece, Norway, Yugoslavia, France, Belgium, and the Netherlands. The action of General Patton in forcing enemy civilians to view the results of Nazi bestiality has met with universal approval here. Field Marshal Bernard Montgomery's men are prodding Nazi storm troopers with bayonets to make them bury the corpses of their victims.

These inhuman deeds of the enemy—the product of the degrading political philosophy and the debased social concepts of the Nazi annihilationists and the Japanese militarists—are not of recent origin. Nazi-occupied Europe has known these indignities for almost 6 years. Japanese-occupied territory has suffered under similar savagery for 14 years.

What these men and women—yes, and even children—endured has been more than enough to crush the expectation of liberation, to quench all hope, and to forever break their spirit. Yet, we know that when our own soldiers and those of our allies swept back the enemy, the expectation of liberation still lived among these people. They still held fast to hope. Their spirit remained unbroken. Today, from Luxemburg to Luzon, whole peoples—once slaves, but now free—are preparing to make their valuable contributions to a future world of peace.

Since I have lived in the Philippines, and since I am proud to be the friend of many Filipinos, what has taken place in that region is of particular interest to me.

One of these friends, Francisco A. Delgado, former Resident Commissioner of the Philippine Commonwealth to the United States, and now in this country as a delegate to the San Francisco Conference, recently told a reporter: "We heard many times from the Japanese: 'If the Americans come back, you will not be here to welcome them.'"

Why did Francisco Delgado, brave as I know him to be, steadfastly maintain his courage in the face of arrogant Japanese oppression?

Tomas Confessor, Secretary of the Interior of the Philippine Commonwealth,

went into the hills on the fall of Corregidor. Dr. Caram, Japanese puppet governor of Panay, sent word to Mr. Confessor, extending amnesty to him and offering him opportunities to profit under Japanese rule. Mr. Confessor replied to Dr. Caram in a classic letter of rejection which takes place beside the immortal words of Patrick Henry and Lincoln's Gettysburg Address.

Why did Tomas Confessor, in his darkest hour, hold to his convictions, rejecting security and choosing to live intimately with death?

You, my colleagues, helped to build this indestructible morale which has survived every concentration camp between Cebu and Czechoslovakia. Hope-hungry peoples heard and read your words of encouragement contained in your statements and your speeches. They risked slow death by torture to grasp your messages of deliverance. You sustained their souls.

Let that great man, that fighting guerrilla, Maj. Pedro Lopez—who fought for his homeland as many of our sons are now fighting for theirs—tell you as he told me only last week how this battle cry of freedom reached the Philippines.

Major Lopez, now a delegate to the San Francisco Conference, said to me: "Without the daily broadcasts of your Office of War Information from Station KGEI in San Francisco, my people would have lost their last vestige of hope. The O. W. I. brought news of the outside world. The O. W. I. kept us informed of the certain approach of liberation. With the knowledge furnished us by the O. W. I. in our possession we could confidently confront our Japanese oppressors. There are millions of Filipinos today who bless the names of William Winter and his fellow announcers and commentators from O. W. I. stations."

I know this to be true. It has now been almost 2 years since an inscription appeared on the statue of the Filipino national hero, Jose Rizal, on the Luneta in Manila. That inscription read: "This is the only good Filipino who does not listen to William Winter."

William Winter was born in New Jersey. He practiced law in North Carolina. He was a news editor in a southern radio network. He served his country in the O. W. I. He was the forerunner of freedom for the Filipinos.

What William Winter did was not the work of one man. It represented the teamwork of many men and many women in New York, in San Francisco, in Washington, in Hawaii and on Saipan. It represents the work of men who landed with the American forces on Leyte and elsewhere in the Philippines. It is built on the efforts of those who maintained a constant liaison with the State, War, Navy, and Interior Departments so that there might be no misconception of the stand of the United States Government. It is built on the efforts of writers, editors, and commentators. It is built on the efforts of press and radio technicians. Without all of O. W. I. there could never have been a William Winter to keep alive the spirit of the Filipino people.

General MacArthur has told us that he is ahead of schedule in the liberation

of the Philippines. This is due to the splendid teamwork between our land, sea, and air forces and the Filipino guerrillas. The role of O. W. I. in this coordinated action is obvious. Without O. W. I., the Filipino guerrillas would have been few in number and of doubtful allegiance. With O. W. I., they are numbered in the millions and are, as one man, convinced of the justness of our common cause and the certainty of our common victory. Without O. W. I. the Filipino guerrillas would be disorganized bands. With O. W. I., they are geared into our combat strategy immediately on our landing anywhere as they have conducted their parallel operations before our coming; losing no time for organizational purposes.

It is due to just such coordination between American battle power and the Filipino guerrillas that General MacArthur could say: "American losses during the Visayan campaign were extraordinarily light" because of the enemy's "continued inability to diagnose our point of attack and to understand our local tactics of combat."

These local tactics that are having such a tremendous impact on the Japanese are based upon the determination of men whose expectation of freedom and whose faith in the return of decency was kept alive through the work of the Office of War Information.

The O. W. I. has fed the fire of freedom in the Philippines, in Thailand, and in occupied China. It will continue to preserve the dignity of mankind in areas now under Japanese control, to stiffen resistance against Japanese domination and to aid our fighting forces in the field until its duties are completely discharged.

It will continue to perform its functions, as it has in the past; never interfering with or assuming any of the tasks of the press services. It will fill in the gaps of information in liberated areas, gaps caused by years of enemy occupation. By projecting American thought, it will give these newly freed peoples an over-all picture of the United States today. It seeks no beats, no scoops. It earnestly strives to fulfill its designated duties set forth in the legislation which brought it into existence. This is shown by the action it has already taken in Italy. There, as soon as communications were sufficiently restored to permit the private news agencies to once again deliver their spot news reports, the O. W. I. turned back to them this responsibility.

It is only natural that many of you should be asking yourselves: "Why haven't we been told the whole truth about O. W. I.?"

My answer is this: The officials of O. W. I. have directed the energies of their personnel toward the major tasks of winning the war and establishing the peace. O. W. I. has a small, recently-created Division of Public Relations. This Division was brought into being chiefly to answer questions concerning O. W. I. activities asked by Members of Congress, the press, and by radio, and other groups seeking information. The real story of O. W. I. is being told in action. It is known by its deeds. It is expressed in the

words of Major Lopez: "Because of O. W. I., the spirit of my people still lives."

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a speech delivered by the gentleman from Alabama [Mr. JARMAN] on April 14, 1944, at Santiago, Chile, at a celebration of Pan-American Day. I also ask unanimous consent that these remarks will appear in the RECORD of tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

WAR ATROCITIES—PUNISHMENT OF WAR CRIMINALS

Mr. FLOOD. Mr. Speaker, when I asked for permission to address the House today I did not know at that time that the gentleman from New York [Mr. CELLER] was going to speak on the subject of war atrocities and punishment of war criminals. I was very glad to hear the speech of the gentleman from New York, with nearly all of which I agreed, of course. But so far as I am concerned, he did not go far enough. With certain things, I must disagree. I disagree with his statement that the House Committee on Foreign Affairs, of which I have the honor of being a member, did not seriously consider and is not properly considering the treatment and punishment of all war criminals. The gentleman from Illinois [Mr. CHIPERFIELD], to whom I just yielded for the purpose of making a unanimous-consent request, is a member of that committee. There are present also the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] who, in the absence of the gentleman from New Jersey [Mr. EATON], because of his attendance as a United States delegate at the San Francisco Conference, is, for the time being, the ranking Republican member of the committee, and the gentleman from Alabama [Mr. JARMAN] who is also a member of the Committee on Foreign Affairs, all of whom have vigorously and earnestly worked with all other members of the committee on this problem. This committee has held extensive hearings on the Celler resolution and the King resolution on the punishment of war criminals.

The gentleman from New York [Mr. CELLER] was present and received an extensive hearing before the committee. A long line of witnesses appeared before the committee and were courteously received. Tomorrow the committee will hold an executive session for the specific purpose of considering the punishment for war criminals and to reconsider the resolution offered by the gentleman from New York [Mr. CELLER] as well as the resolution of the gentleman from California [Mr. KING], whose resolution was being considered simultaneously with the resolution of the gentleman from

New York on the punishment of war criminals.

As a member of the Committee on Foreign Affairs, I would like to say to the House there is no committee of this Congress which is working harder or giving more attention to any one particular problem than is the Committee on Foreign Affairs on the matter of the punishment and seeking out and destruction of all war criminals and all friends of all enemy nations and their satellites guilty of war crimes. That will be the purpose and the intent. I speak for myself as a member of the committee. I have talked to every member on the committee on both sides of the aisle, and I think I can say that is their opinion and their judgment.

In further support of that statement, I had prepared to speak under a special order today. Not knowing that the gentleman from New York was going to speak on the same subject, I had prepared a statement having to do with the punishment of war criminals. This punishment must be full and complete. It must be immediate and it must fit the crime.

Further, on last Friday, I expressed my intention when I read of these atrocities that seemed to me to be going beyond the ken of the human mind. They seemed to be dealing with the occult, approaching something in the outer darkness. Those acts seemed to be the acts of a people taught the philosophy of anti-Christ. I cannot imagine, as a member of the Committee on Foreign Affairs, that I or that we should be charged with any dereliction of duty by that kind of a statement.

I hold no brief for the State Department but I can say the State Department has been cooperating with the Foreign Affairs Committee in full. They have met every demand or request we have submitted to them. Mr. Stettinius and his associates have been full and complete in every possible way to join the House Committee on Foreign Affairs, to meet what we think is in the heart and mind of the American people, in seeking to the uttermost lengths of the world, all war criminals of all enemy nations and their satellites and give them full and just and complete punishment.

I can say that on last Friday I signified my intention of presenting a resolution to this House asking that immediately there be sent to Germany a committee of this Congress to investigate and get first-hand information to bring back and report to the Congress on the punishment of war criminals. It was that very night I was informed by the Associated Press—and at the time I made the statement I was not aware of it—it was within 3 hours that I was advised by the press that General Marshall had received a cablegram from General Eisenhower requesting that a congressional committee be sent at once to Germany to see for themselves these atrocities and these outrages. Immediately the Speaker of the House, the distinguished gentleman from Texas [Mr. RAYBURN] with the President pro tempore of the Senate, appointed such a committee, and if I am not mistaken they are on their way

to Germany this minute as I address the House.

Today a series of resolutions, independent each of the other, were presented to this House by a half dozen Members of this House, and I presented my resolution; showing indeed that this honorable body is deeply disturbed and intent in its determination to see full and fitting punishment of war criminals. There is no apathy here. There is deep, intense, serious determination of purpose. I think I speak for every lady and gentleman in this honorable body.

I can say that this problem must be approached carefully and with all the serious study that its magnitude and its importance to this and future generations means; and as a deterrent to similar actions of other peoples, or the same people, for the balance of time. Emotionalism must not determine how this punishment must take place. It must be proper, juridical, and of record so it has the weight of that prestige of all nations of the United Nations of the world behind it for history, and for any peoples from now on. That is why in my resolution today—and this is not included in any of the other resolutions presented—the gentleman from New York [Mr. CELLER] has not included it in his resolution.

The United Nations War Crimes Commission has no power to investigate; it cannot act as detective. This is not generally known, but it is true; it cannot seek out evidence. The United Nations War Crimes Commission can act only when proper presentment of charges and facts is made to it by one of the member nations. So in my resolution I am asking that a War Crimes Commission be created and appointed, 6 Members of the House, 6 Members of the Senate, 12 individuals, 2 of whom shall be lawyers, 2 of whom shall be doctors, 2 of whom shall be clergymen, 2 of whom shall be newspaper editors, 2 of whom shall be recognized business leaders, and 2 of whom shall be recognized labor leaders. This body will have full investigating powers and be ordered to report its findings as the official representative of the United States of America as a member nation of the United Nations and of the United Nations War Crimes Commission to the United Nations War Crimes Commission and to report its findings to a joint session of this Congress and as a full committee with national hook-ups to make its report to the people of America, and by a series of prepared articles signed by every member of the committee to the United States press, and, if it is still in session, to the San Francisco Conference and to every subsequent conference that results and emanates, as we are sure there will, from the San Francisco Conference.

This resolution I have presented is a resolution which meets all of the legal requirements, creates the necessary steps and procedures so these criminals can be sought out and, when sought out, can be punished. Equally important as the punishment of the criminals is the necessity of impressing in a proper way upon the minds of the American people—especially the American peo-

ple—that these atrocities have actually happened, that this is not propaganda, this is not the writing or the fictional ideas or the mental aberrations of any special correspondents; that this is not rumor and not fiction, not military propaganda.

That is why I believe these investigations should be conducted and reports made by civilians, not by the military authorities because the American people are primarily a civilian people. Our armed forces are primarily a civilian army and a civilian navy. We are not professional militarists. When this job is over the men and women in the armed forces want to get back home as soon as they can. They at heart are civilians and they too want these investigations and these reports conducted to the satisfaction of the minds and hearts of the American people and that it be thorough and efficient, because if it is not done that way and at once and continued until it is exhausted, then in a very short time you will hear the story that all of these ghastly doings are propaganda somebody wants to put over for some purpose of their own, and that it never really happened.

But I think, Mr. Speaker, when a congressional committee finishes its investigation and reports to the two bodies of Congress, and to its own people, then the American people will know and believe once and for all that these atrocities are a result of a diseased racial mind, that this crime of the German people under this philosophy that the Nazis have injected into their body, is the most perverted, racial mental attitude in the history of the world, that it has never been approached before, and with the help of Almighty God never will be again. It must be treated in that way, and only in that way, and those to be punished must not only merely be those who committed rape, and murder, and pillage and arson, but they must seek out and punish the men behind the men behind those guns, the leaders, who were responsible; so that, as I say, once and for all, these crimes of an all-out war must be crimes not only against persons as we know from the atrocities; but there are other crimes, crimes against property and they must recognize those crimes as a part of the method and the methods of political, economic, industrial, moral, religious, social and biological atrocities upon the peace of the world and the customs, mores of civilized men and women, and that those are all war criminals. Further, we must see that all those who participated in that type of crime, of war guilt, must be punished. And do not forget that the Japanese and all the satellites of the axis powers are to be included in this plan to investigate and punish war criminals.

The victorious armed forces of America, rushing to achieve the goal of victory now in sight in Germany, made a prize catch one day last week.

In a setting and in a manner almost as theatrical as his career, one of our arch-enemies was made prisoner, Franz von Papen. This evil old man has been a mischief maker of the first water, and it is good to have him under lock and key at last.

With a fantastic background of duplicity and intrigue, this unregenerate scoundrel has stalked the world capitals like a character from an E. Phillips Oppenheim novel. This Graustarkian villain has been slinking on and off the stage of international relations for over 30 years.

And so there he was again, dressed for the role of a backstage busybody, in plus fours and a Tyrolean hat—daintily nibbling at lunch in a quiet hunting lodge on the fabulous estate of a wealthy son-in-law, waiting nonchalantly to be captured. Once again the patronizing condescension to give an interview, to make a world-shattering statement; quoth he, in his best second-act manner: "I cannot imagine what you Americans want with an old man of 67 years. I wish the war was over." Well, the war is over for millions and millions of men, women, and children all over the world because this war criminal, Von Papen, was not punished for his guilty deeds of the last world war, a quarter of a century ago; because this war criminal, von Papen, was permitted to go scot free, pampered, honored, and fawned upon, to perpetrate his foul deeds upon another generation of American boys, upon all people everywhere. As to this evil old man, to paraphrase from the immortal MacBeth, all the perfume of Arabia will not sweeten his unclean hands.

The United Nations War Crimes Commission has not revealed how it classifies him; but on the minds and hearts of all mankind that is decent, indelibly engraved is the name "Von Papen" with the ignoble title "War Criminal." Like his erstwhile Fuehrer, whose foul genius spawned his ilk, the name of "Von Papen" must be written high upon the list of war criminals. Forever the name "Von Papen" will connote to honest men the personification of hypocrisy. "Von Papen" is a synonym for jackal—sneak—liar—deceiver. The world shrinks from the words "Von Papen" as it has since Biblical times from the words "leper—unclean." From Cairo, Egypt, last week came the incredible story of this charlatan's most recent assignment from the devil. The New York Times reports that:

With Franz von Papen's capture last week in Germany authentic details came to light here of his plans, dating back more than 2 years, to communicate with the Allies to negotiate a compromise peace so he might head postwar Germany.

Parts of the story were known in Istanbul last year, but other parts were supplied by German agents who came over to the Allies' camp last spring. They had not been published.

Briefly Von Papen, a former German chancellor, hoped to arrange a peace that would leave Germany's "new order" in France, Poland, and the Balkans. He was empowered to try to negotiate this on behalf of the Nazis, but those in close touch with him knew that he pictured himself as the only prominent German acceptable to the Allies as head of postwar Germany. The Gestapo also knew that and fought his scheme, but with the skill that had saved him repeatedly in a long and unsavory career, Von Papen seemingly cleared himself of suspicion with Adolf Hitler.

Von Papen's plans seemingly were based on a profound misunderstanding of America's wartime mentality and his misinformation on American internal affairs. He counted on

the Republicans gaining control and said that it would be easy to negotiate a separate peace with America because of what he considered Republican isolationist tendencies. With America out of the war, he figured that Britain would have to make peace.

Von Papen's right-hand man in his scheme was Paul Levehkuhn, former chief of German espionage in Turkey, who was recalled in disgrace. With him, Von Papen wanted to run his own political intelligence service, but the Gestapo insisted on reports going through them, so Von Papen, then Ambassador to Turkey, could not color intelligence to suit his ends.

In June 1943, Von Papen succeeded in establishing contact with an officer named Varlimont, whose official title was counter-espionage liaison officer at Hitler's headquarters. He obtained permission to send his reports directly to Hitler's headquarters and proceeded to send material tending to show that his plan was feasible.

While working directly with Hitler's personal staff, Von Papen also set out to whitewash himself with the German Catholics. There were several Austrian Catholics among the German operatives in Turkey and he took pains to persuade them and other German Catholics that he had really worked for an Austro-German union in the hope that it would increase the Catholic element within the Reich and so help toward Hitler's downfall.

From the autumn of 1942 Von Papen never believed in a German victory and even said publicly at numerous parties: "A German victory is now impossible but so is a German defeat." He held that the worst that could happen was a compromise peace because, he professed, Germany could hold out until the Allies were sick of war. This line was effective with Turkish leaders.

As part of his campaign, Von Papen privately urged other leading Germans to adopt a policy of mildness and even appeasement in occupied territory. He claimed credit for the appointment of Hermann Neubacher, Nazi former Major of Vienna, as Hitler's special Ambassador to the Balkans. The benefit to the peoples of the Balkans, however, was imperceptible.

Von Papen then began cautiously to approach Americans through various intermediaries.

When he returned to Turkey from Germany last summer, Von Papen brought permission to sound out Americans, though he was not empowered to negotiate. This was learned from more than one reliable source.

His plan failed because nobody was willing to play his game. Tentative efforts to establish indirect and well-concealed contact with Americans met only the reply that if the Germans wanted to end the war they had to surrender unconditionally. He was still trying when Turkey broke relations with Germany.

If he had wanted to, Franz von Papen probably could have eluded us for a while longer, but apparently he decided that he might just as well let himself be taken now.

But Papen, though he may thus try to belittle his own importance and give the impression that he is a peace-loving man, must realize that in American and Allied eyes his name is identified with some of Germany's darkest intrigues over a long span of years. In the First World War, while we were still neutral and before President Wilson had him recalled, his job here was to organize sabotage against America. Then, after the armistice, he began playing a shrewd political game inside the Reich, becoming chancellor in 1932 just before Hitler took over. Though he once criticized

some of their more extreme policies, he accommodated himself swiftly to the Nazis, serving them as vice-chancellor until the Fuehrer named him special minister to Austria, in which role he paved the way for the end of Austrian independence.

In fact in all of Germany's political aggressions, Papen has been one of the chief agents of the Nazi hierarchy, his most recent assignment—which happily ended in failure—being to woo the Turks into Hitler's orbit. He may wish for peace now, but in no small measure, with his celebrated talent for conspiracy, he helped the forces that were intent upon leading the Reich into a war of ruthless conquest.

That the ideology and the practices of this evil old man amount to a disease is further indicated when the Washington Star refers to Von Papen as a "typhus carrier," and in last night's edition further stated:

If Franz von Papen's record is any guide, it was not mere chance that found him in the Ruhr coincident with the arrival of American troops. He had had more than sufficient time to escape and join forces with Hitler and Himmler and Goebbels and the rest. It can reasonably be deduced from the relief Papen manifested when he was captured that he did not choose to escape, no doubt reckoning that, being taken prisoner by Americans, a soft-hearted people who quickly forget, he would be able to save his precious skin.

Yet by any sane standards, Papen belongs very high on the list of war criminals. To be sure, there is no evidence that, with his own aristocratic hands, he never murdered anyone. It is possible that he would have shrunk from so messy a job. But he never hesitated to help in the murder of nations. He played a vital role in the events leading up to the elevation of Hitler to the German chancellorship. He was the agent of Austria's destruction. For this achievement he was made a Nazi by Hitler, whom, whatever his personal feelings, he loyally and faithfully served. A man completely bereft of conscience, decency, and moral courage, he was one of the carriers of the plague of nazism through Europe.

Papen is one of the first important Nazi rodents to leave Hitler's sinking ship. He is not the only one. The growing band of the prisoners we have been taking east of the Rhine includes others who, less important than Papen, conveniently managed to be on hand when the American troops arrived, preferring capture by us to capture by the Russians. They will do everything in their power to make us believe that they were really anti-Nazi at heart, out of sympathy with Hitler's course, and wishing, with Papen, that the war were over.

Neither has the skeptical mind overlooked the rapidly increasing bag of German elder statesmen and generals reported by our armies advancing on Berlin. If he tried very hard, Von Papen might have managed to catch a plane for Berlin or Munich before the Americans got him; and so with the aged Mackensen and lesser Nazi dignitaries. The suspicion is not too farfetched that Von Papen preferred to take his chances as an Allied prisoner than as a Nazi last-ditcher. But beyond that it is not inconceivable that Von Papen and the other men were left behind by the Nazi tacticians for the purpose of being captured. The idea would be to have them operate behind the Allied lines in their own particular field.

It has been announced that Von Papen is now in custody in a little French village, "enjoying walks in the garden of a country house." I would like to see him brought back to America at once for punishment on the scene of his earlier crimes were it not for the fact that there are in this country already deluded individuals and groups urging compromise, soft peace, and a just treatment of these war criminals. I, too, am for just treatment of Von Papen and the other war criminals. But first I demand justice for the peoples and the nations of the earth irreparably injured by this criminal conduct. Let these poor people first have justice, and if there is any left—then let Von Papen and Germany have the crumbs. The herrenvolk, the werewolves, and the leaders of the master race must go to the end of the line when justice is being dispensed. Let us remove from the eyes of the goddess of justice the bandage that has made her blind in the treatment thus far given to Von Papen and his kind.

The ghastly farce has ended; the curtain is about to be rung down on as shabby a character as this century has produced.

Horrible and unspeakable are the crimes committed by the armed forces of the Nazi enemy. Atrocities so inhuman have recently come to the view of our troops in Germany that the savage heart of the animal world would be affrighted. The perpetrators will be searched out to the ends of the earth and punished—so said President Truman in his first message to Congress, and so say we all.

But in the hue and cry for these low criminals, let us not forget the high criminals—the man behind the man who did the murder, the rape, the arson, the pillage, and the looting. The arch criminal, the leaders, the so-called great minds who schemed, and plotted, and planned an all-out war, a total war, a new kind of war that corroded and ate out and destroyed the will, the mind, and the soul—the creators of the economic, political, industrial, commercial, religious, cultural, racial, biological war. The fiends from hell whose sanctimonious cant would make God of the Omnipotent State—these followers of the anti-Christ, who embrace a Gotterdammerung with a warped and perverted mind that has made all virtue a vice and all vice a virtue.

Mr. Speaker, I take for granted that the United Nations War Crimes Commission has long since placed high on the list of war criminals the loathsome name of Franz von Papen. But out of an abundance of caution, I now charge him with high crimes against God, humanity, and society. I indict him as a war criminal in the classic meaning of the term, and demand as a Member of this House, that he be classified as a war criminal and treated as such. If the United Nations War Crimes Commission requires a formal presentation of charges in order to accomplish this purpose, here, Mr. Speaker, I submit are the charges.

I say as a voice for the countless dead by his hand, as an advocate of the legion of suffering through his misdeeds as spokesman for the hosts unborn who

must be free of his infamy—Franz von Papen—this evil old man—must answer to history as a war criminal.

EXTENSION OF REMARKS

Mr. MCGREGOR asked and was given leave to extend his remarks and include therein an essay written by one of his constituents.

The SPEAKER. Under a previous order of the House, the gentleman from Indiana [Mr. LUDLOW] is recognized for 15 minutes.

SECRETARY STETTINIUS IS ASKED TO APPOINT ADVISORY COUNCIL OF AMERICAN RELIGIOUS LEADERS TO AID IN PEACE SETTLEMENT—HIS ENCOURAGING RESPONSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter I have written to the Secretary of State, and his reply, and to include extracts from a number of letters from religious leaders.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, with the end of the war in Europe near, our country is approaching the biggest job in the history of mankind—the reconstruction of the world out of the ruins of the present conflict.

America has taken a leading and deciding role in fighting to a successful conclusion the war against the forces of tyranny and repression. America must now take a leading role in rebuilding the world on permanent foundations of universal justice.

America's responsibility will not be lessened but will be augmented by the cessation of hostilities. How can we ever account to our people who have poured out the treasures of their sweat and toil and suffered the agonies of a million casualties unless those who speak and act for us follow through by taking the lead in building a better world?

We are now face to face with a tragic interim in history. The fate of human beings for all time to come will have to be decided. The first episode—the episode of war—is coming to an end and we are up against the second and final episode—the episode of peace. What kind of a peace will it be? We are assured a future of limitless promise for the human race if we have a peace of justice, fashioned as nearly as is humanly possible on the divine pattern of the fatherhood of God and the brotherhood of man. If, on the other hand, we have a peace contaminated by power politics and dictated by a yearn to grab territory and wreak vengeance born of age-old animosities all of the fond hopes of mankind for a warless future will turn out to be dead ashes. The word "peace" applied to such a settlement would be a shocking misnomer. It would not be a peace settlement but merely a pause in the turmoil of conflict and the clanking of arms for the sowing of the seeds of future wars and the intensifying of woes and miseries from which poor suffering humanity is pathetically seeking to escape.

After all of the suffering and travail the world has gone through no peace will be acceptable except a peace of the ages, and, in my opinion, there can be no peace of the ages that is not founded on principles of religious faith.

Because America has done so much to win the war, there is a responsibility resting on the religious people of America to exert their influence toward winning the peace, and as a step in that direction I have suggested to Secretary of State Stettinius that he appoint a religious advisory council to advise him in respect to the momentous problems of peace—one member to represent the Protestants, one member the Catholics, and the third member to represent the Jewish people of America—this council to be composed of eminent religious leaders who could speak in one voice—Protestant, Catholic, and Jew—for moral ethics and Christian Judaic spiritual principles in the making of peace. Mr. Stettinius has replied that he thinks my suggestion for a religious advisory council is one which deserves study and that he is asking that appropriate consideration be given to it in his Department.

I hope that Secretary Stettinius will adopt the suggestion and will appoint this religious advisory council. I believe it would strengthen his arm in dealing at the peace table with the very practical master politicians and diplomats whose first consideration will be the fleshpots of national interests as against the broader world interests. I believe also that it would be effective in keeping the Secretary of State acquainted with the aims and aspirations of the religious people of America and the entire world as the train of events brings up for consideration varying problems of epochal significance. All of the great religious groups of America have issued statements on peace which are fine and commendable, but, unfortunately, such statements are not self-executing. The religious advisory council which I propose would assist in executing them and would make them living, vital instruments in helping to shape the peace policy on the foundations of a new and better permanent world order.

George Washington set us an example when he stepped aside from his ragged and bleeding men at Valley Forge to kneel in the snow and pray to Almighty God for divine aid in the righteous cause of the revolutionists.

The crisis that faced the revolutionists at Valley Forge has its counterpart now on a cosmic scale in the crisis that is to decide the future of the human race and the act of Washington in kneeling to pray in the snow is a precedent, I think, justifying our Secretary of State, as he approaches the tremendous problems of peace, in asking the advice and counsel of religious leaders who humbly seek to live with God and interpret the plans and purposes of the Father of us all in respect to human relations.

I present for printing in the RECORD a letter I wrote to Secretary Stettinius and his reply and extracts of letters I have received from many eminent persons in regard to the proposal for the

creation of a religious advisory council to aid in the peace settlement, as follows:

APRIL 9, 1945.

HON. EDWARD R. STETTINIUS, JR.,

Secretary of State, Washington, D. C.

DEAR MR. SECRETARY: With your permission I would like to present a plain statement of views of mine which I hope will have some helpful pertinency in connection with the gigantic tasks you are facing in connection with the peace settlement.

We may as well talk plainly and realistically. You will be dealing with men who will be controlled largely by the nationalistic spirit of getting all they can for their countries. You will be dealing with men who know what they want and who are proficient in getting it. These men will be content to concede to America a monopoly of altruism while they go after the fleshpots.

Another fact is that if the peace settlement is based on grab, it will be no settlement at all, but will merely be sowing the seeds of another world war. If there is such a settlement, we may as well prepare right away for another orgy of blood.

The American people are not going to tolerate any such settlement. America entered the war for no other purpose than to help to make a better world. Our people are not going to see that purpose defeated. They are going to demand a firm and lasting peace settlement based on justice and square-dealing among nations. They are making known in no uncertain tones that they have not poured out their agony and tears and suffered the poignant pain of a million casualties of their flesh and blood in order that some powers may grab some territory or wreck revenge born of ancient hates. Bled white by debt which their children's grandchildren can never pay, seeing day by day the names of their precious sons on the long lists of dead and wounded, the people of America have carried a heavy cross during the last 4 years and they want that cross to stand for the resurrection of the hopes of mankind for a better world and not for the everlasting doom of mankind in a third world war that would destroy everything. They are determined—unalterably determined—that their sons and grandsons shall not have to go out and fight another war. They want no territory, no reparations. The only thing they want is a fair deal for all nations, big and small, and the permanent peace that goes with it.

So a crooked peace settlement is out, as far as the sentiment of America is concerned. I think I speak what is in the universal mind when I say that we have the utmost faith in you, and we are depending on you to keep the settlement straight. But you, sir, as capable and well intentioned as you are, will need all of the moral and spiritual support you can get.

In my opinion, and in the opinion of many of the outstanding religious leaders of America, there is a potential source of this kind of support in the creation of a religious advisory council to speak in one voice for Protestant, Catholic, and Jew for moral ethics and spiritual principles in the making of peace. As one who professes to be a Christian, I have no hesitancy in saying that the more we get the principles of Christianity injected into the peace settlement the better the settlement will be, and by that I mean respect for God and His commandments, respect for the rights of others, respect for the sacredness of human relations.

I am writing to suggest that you appoint, prior to the San Francisco Conference, three advisers, one representing the Protestants, another representing the Catholics, and the third representing the Jewish people of America to assist you by bringing the principles of religion into actual bearing in determining the character of the peace settlement.

I believe the establishment of this system would stabilize your purpose and strengthen your hand in securing the kind of a permanent peace settlement America is yearning for. It would assist you to utilize the mighty power and force of religious influence in effectuating such a settlement. This would be done without embarrassment, either to you or to the organized religious groups, because the function of the council of three would be purely advisory. You need not always take their advice and they need not always approve your actions. There would be no mandatory commitments, but a system of working contact would be established that would keep you apprised of the best religious thought of America as the epochal developments unfold, and that, I think, would be important and effective.

Humbly seeking to be helpful, I have made it my business to sound religious leaders on this proposal, and I have found a tremendously favorable reaction to a speech I made in the House explaining it. So general and favorable is the acceptance of the idea that I have no doubt of its success if adopted.

I feel certain that on a nod from you each of the three great religious groups would suggest an eminent leader to serve on the advisory council or, on the other hand, if you should choose to designate your choice for these advisory positions your selections would be entirely acceptable.

I enclose extracts from some of the large number of letters I have received giving the views of eminent religious and civic leaders in respect to this matter; also a copy of the speech I delivered in the House. I will esteem it a favor if you will give your usual thoughtful consideration to these matters and advise me your conclusions.

With great respect and very best wishes, I remain,

Sincerely yours,

LOUIS LUDLOW.

THE SECRETARY OF STATE,

Washington, April 14, 1945.

The Honorable LOUIS LUDLOW,

House of Representatives.

DEAR REPRESENTATIVE LUDLOW: Thank you for your fine letter of April 9 enclosing extracts from letters regarding the creation of a religious advisory council to aid in the peace settlement and your speech of March 15 on that subject.

I agree with you fully that it is of the greatest importance to keep before us the tenets of Christianity when the peace settlements to follow the war are under consideration. It is equally true with respect to the deliberations which will shortly take place in San Francisco at the United Nations conference for the establishment of an international organization for the maintenance of peace and security.

Your suggestion for the creation of a religious advisory council is one which deserves study, and I am asking that appropriate consideration be given to it in the Department.

We have invited two Jewish, two Protestant and two Catholic organizations to send consultants to the American delegation in San Francisco. This I feel is a constructive step in the direction you have in mind, and I feel certain that their presence at San Francisco will be of great usefulness and benefit to our delegation.

With best wishes,

Sincerely yours,

E. R. STETTINIUS, JR.

EXTRACTS FROM LETTERS IN REGARD TO THE PROPOSALS TO CREATE A RELIGIOUS ADVISORY COUNCIL TO AID IN THE PEACE SETTLEMENT

From Bishop G. Bromley Oxnam, president of the Federal Council of Churches of Christ in America:

I find myself deeply moved by the proposal contained in your address. It seems to me

that it has in it unlimited possibilities for good. While I am not in a position to speak officially until official action is taken, I am of the opinion that the Protestant bodies of the Nation would welcome the proposal. Since the committee would be advisory in nature, it would not, therefore, be required to take responsibility for the actions that were later taken by the State. I mention this because in the realm of practical politics compromise is often essential and represents the greatest possible step in advance at the moment. The step, however, may be much less than the Christian ideal. Christians everywhere realize that we move to the absolute by way of the relative, recognizing, I think, that presently practical steps must be taken but, of necessity, they cannot accept compromises in perpetuity. I mean by that that the Christian ideal must be held aloft to judge present practice and to summon it to higher levels. We seek, therefore, to support all presently practical measures, but all the while seek to move on toward better and more comprehensive measures that will mean a fuller expression of the ideal. I can think of no better way, however, than for such a committee to be at work, speaking out of the Christian and Jewish conscience, which I might better put as the religious conscience, and thus enabling the statesmen who are charged with such heavy responsibilities to know the minds of the religious bodies and the willingness of those great bodies to support those measures that look toward an enduring and just peace. If there is any way I can cooperate as an individual or by which I can influence the great organizations to cooperate, I shall count it an honor to be commanded.

From ELBERT D. THOMAS, United States Senator from Utah:

Your plan might not only contribute to a more sensible peace but it also might contribute to a more common-sense unity among religionists themselves. If peoples, cultures, and nations are to live together properly in this now psychologically united world, they must learn how to appreciate each other. Surely rival religions should take the lead in planning about unity not only through forbearance and toleration but also through appreciation. Religionists should set this example.

Rabbi Israel Chodos, of Indianapolis:

I am in hearty accord with the plan that you suggest. Such a plan, if carefully executed, would help bring to bear upon the knotted problems of our day the light of thousands of years of religious thinking.

From Daniel F. Desmond, bishop of Alexandria:

I have read your speech in Congress of March 15, and I was deeply edified. What you had to say about the interest from all quarters on the influence of religion on our post-war problems was highly important. As you say, however, expressions are not self-executing. Your suggestion as to the implementing of all of these opinions was very practical, and I trust that your voice will be heard and acted upon by the men who guide us during these all-important days.

From Harry F. Kelly, Governor of Michigan:

I believe, with you, that religion can and should be a powerful force for the promotion of international understanding. The ethical principles upon which Christianity and Judaism are founded must provide the basis for a lasting peace among nations.

From Aloisius J. Muench, Bishop of Fargo:

It is a magnificent statement, and certainly also very practical.

From Dwight H. Green, Governor of Illinois:

I appreciate your interesting views on the importance of having the religious forces of America make themselves felt in shaping the peace settlement following the conclusion of the present world war. I believe that we can all agree that the prospects for a permanent peace will be better if those at the peace table carefully consider the views of the religious leaders of all groups.

Rt. Rev. Henry F. Dugan, chancellor of the diocese of Indianapolis:

Please know that I am heartily in accord with your thought and plan. It is heartening to know that men of your type are leaving no stone unturned to hold fast to the traditional religious spirit which was so much in evidence in the first days of our great Nation. It is nonetheless evident now, but perhaps it is well that we speak out boldly, demanding that our present leaders hark back to traditions as a great nation.

From G. Ashton Oldham, Bishop of Albany:

I think the resolution admirable and wish it every success. If there is anything I can do in any way to help, do not hesitate to call on me.

From Sidney P. Osborn, Governor of Arizona:

I agree with you that religious influence should be felt in the shaping of our post-war world organization and commend you for your forthright efforts in this regard.

From ARTHUR CAPPER, United States Senator from Kansas:

I am thoroughly in sympathy with the suggestion you make that a religious advisory council be set up to work in close cooperation with the Conference which will convene in California next month. I have received a great many letters from Kansas urging the designation of Dr. E. Stanley Jones as a member of any such group. Whenever I have passed this suggestion on to the State Department I have consistently received reply to the effect that the Department of State is glad to have my recommendation available for its consideration in the event that a group of this kind is organized. I have not observed any developments in this direction, but want you to know I stand ready and willing to assist you if you feel there is some further definite move we could make with a view to actually establishing an advisory council such as you have described.

From W. W. Peele, resident bishop of Richmond:

This plan commends itself in a very definite way to me. It would furnish the voice for the total religious forces of America and also would provide the machinery for getting action down through the religious bodies, reaching the individual local church. After all, public opinion is still supreme. I trust that your proposed plan may become a reality.

From Rt. Rev. Joseph M. Nelligan, chancellor of the archdiocese of Baltimore:

Archbishop Curley has asked me to let you know that he has seen your letter of the 17th with the speech which you enclosed. On the advice of his physician, the archbishop is not permitted at this time to do a great deal of reading. In general, however, he asks me to say that any effort to bring real religion into the settlement of present world problems would, of course, have his full support. The importance of this cannot be overestimated.

Merle Sidener, president of Christian Men Builders, Indianapolis:

It is a good thing that we have a few idealists like you in Congress. Your outspoken advocacy of religious faith as the solution of many of our social problems is most refreshing. The feature of your speech that impresses me most is your declaration that statements of belief and intent "are not self-executing." Religious forces should exert a positive influence at the peace table and your plan would make that possible. The selfish purposes of power politics can be successfully opposed by the unselfish motives of those who love God and their fellowmen. I hope your suggestion of a religious advisory council will receive favorable consideration by the religious leaders of the country. More power to you.

From Colgate W. Darden, Jr., Governor of Virginia:

I agree with you as to the possibilities of such an organization, if it could provide a unified program. I believe great difficulty will be encountered in having the respective faiths come together on some plan which could be supported by all. One of the stumbling blocks, I fear, will be the extent to which the military establishments of the Nation should be maintained.

Dr. William C. Dennis, president of Earlham College:

An advisory committee representing all the churches with the membership you suggest with Mr. John Foster Dulles added as counsel would be ideal. The papers indicated that he, at least, is to have some function in connection with the San Francisco meeting. Dulles would have the balance and the technical knowledge and practical experience in international matters which the church representatives mentioned, so far as I know them, would not have in so full a degree. A church commission of the type you suggest could also serve usefully in bringing back to the church people the results of the conference which are bound, in my judgment, to be disappointing in many ways, even if we get all we have the right to hope for since many people are, of course, looking for the presently unattainable. If somebody does not look for the unattainable, we shall not get even that which is within our grasp.

Edwin Holt Hughes, bishop of the Methodist Church:

Your speech looks in the good direction. The matter of church or even religious counsel at the peace table is difficult. If there is any way in which another outside group not officially related to the proceedings can be made to function, we ought to be able to help toward a more nearly ideal solution. I am now retired, not from the episcopacy but from official duties. Yet if I can help even in the most modest way, I shall be a happier man.

Cameron J. Davis, bishop of the diocese of western New York:

I am deeply sympathetic with the principle which you express, but I foresee great difficulties in some aspects of the organization which you propose to express the principle. * * * On the other hand, I see no reason why a temporary conference should not be arranged, if requested by the governments to meet at the time of the San Francisco Conference, or as soon thereafter as possible, and to give its opinion in regard to the moral issues involved. * * * I believe such a suggestion, if it emanated from governments, would have the greatest possible weight, but if any one church attempted to organize it, it would meet with opposition. May I say in conclusion how much I admire and respect you for giving your thought to

this matter and for making your public statement.

Bishop Edwin F. Lee, Director of the General Commission on Army and Navy Chaplains:

This address has been noted with very real interest. In my judgment it is worthy of very careful consideration. I think it would be possible for us to have an expression of judgment of representatives of the church so expressed that it would not represent an interference of the church in matters of state. This is a position which I think we can wisely adhere to in American life.

Katharine F. Lenroot, Chief of the Children's Bureau, Department of Labor:

If the advisory council is to be entirely a voluntary and privately supported organization I should think it could perform a splendid service and I am delighted that you have made the suggestion.

Edward D. Howard, archbishop of Portland in Oregon:

Your proposal is, it seems to me, an impressive step toward translating into action what the different religious bodies in this country have expressed individually or jointly as moral and spiritual contribution toward the establishment of a just and lasting peace.

Rabbi Morris M. Feuerlicht, of Indianapolis:

The objective of your proposal is unquestionably excellent and most commendable, if only for its moral reaction and effect upon the religious forces of America and those throughout the world, based upon the common Judeo-Christian tradition. It would, I believe, forcibly tend to remind and bind the infinitely varied forms which that tradition has assumed into a firmer basic unity in the direction of realizing their common goal of the fatherhood of God and the brotherhood of man.

Ransome J. Williams, Governor of South Carolina:

I agree with you that the settlement of the world's difficulties should be made on the idea of Christian brotherhood, and unless this is done we shall fail in the task.

Bishop Ralph S. Cushman, of St. Paul:

I think such a thing is much needed. The congressional leaders need to be in closer touch with the official leaders of religion in America and it is just as true that official religion needs to be nearer to congressional opinion. Your problem is how to set up such an organization and maintain its unofficial character. The principle of the separation of church and State is fortunately deeply rooted in America and you will have to allay any suspicions that there is an attempt to break down these traditions.

Dr. Carleton W. Atwater, pastor of the First Baptist Church, of Indianapolis:

I am quite in sympathy with such a movement. Inasmuch as our church and Northern Baptist Convention is cooperating with the Federal Council of Churches of Christ in America, I am sure that we would be willing to share in the responsibility of such a movement. I was talking to Dr. E. Stanley Jones today about your proposal. He is very much interested in it.

J. H. Davis, Governor of Louisiana:

I have read your speech with much interest and am in full accord with the views expressed by you concerning this most important matter.

H. B. Holloway, executive secretary of the United Christian Missionary Society:

It seems to me this proposal not only has great merit but is timely. Certainly no peace can be long enduring which is not permeated with religious principles.

Archbishop Joseph E. Ritter, of Indianapolis:

You are to be commended on your efforts to obtain a good and just peace.

Will H. Hays, president of the Motion Picture Producers and Distributors of America:

It is indeed an eternal truth that consciousness of the fatherhood of God must permeate any ideal for the brotherhood of man.

Dr. Alexander E. Sharp, executive secretary of the Presbyterian Church, synod of Indiana:

I suppose it would be expected that my reaction to your proposal for the establishment of an advisory religious council in Washington would be one of high appreciation, and it is. This would be a natural response to any recognition that might be given to the forces of religion in America by one as much interested in the church as I. But I want to emphasize that my appreciation of your stand is based upon a far deeper consideration than an immediate impulse to cheer some possible recognition of religious forces in America. I know, as all thinking men must know, and as you so ably state, that any hope for a permanent peace rests upon the religious principles constantly espoused by the great religions of mankind in the fatherhood of God and the brotherhood of man. No amount of political machinery or maneuvering without this spiritual undergirding can possibly produce the lasting success which we all covet for peace planning which is being undertaken.

Rev. Edward L. Day, executive secretary of the Christian Church Union of Indianapolis:

I assure you that those whom I represent, as well as myself, are with you in your efforts to bring the motivating power of Christianity to bear on the making of a just and righteous peace.

Dr. M. O. Ross, president of Butler University:

May I take this opportunity to congratulate you upon your proposal to establish a joint religious advisory council to speak in one voice for the major religious groups in the country. I agree with you that unless such a peace is established upon the principles of human cooperation laid down by Christ and other great religious leaders it will fail. I hope that adequate publicity is being given to your proposed program.

Mrs. Evelyn Riley Nicholson, Mount Vernon, Iowa:

I regret to tell you that my husband, Bishop Thomas Nicholson, has passed to his reward. I am much interested in your plan to make the religious forces of America vocal and influential in helping to shape the peace settlement. Of course I believe, as you do, that this is a vital and critical time and that the religious influence must be felt in ordering the future of the world.

James A. Griffin, bishop of Springfield in Illinois:

I heartily concur in your plan for the creation of a religious advisory council to sit in on the peace program and represent the religious forces of America. There is much hatred rampant today and we are forgetting that whatever the peace terms are, they should be built on justice and tempered with mercy, and should also concern themselves with safeguarding the future. The

Christian Gospel should be our guide and if we follow the spirit as well as the letter of the Christian Gospel and code we will not bring forth a misfit such as happened at Versailles in 1919. Congratulations on your great interest, and I pray that your plan will be accorded the serious consideration which it deserves. Count me in as a supporter.

Joseph Schrembs, archbishop of Cleveland:

I have read with interest your statement made in the House of Congress presenting a plan for the creation of a religious advisory council, and I congratulate you on your recognition that the permanency of world peace is dependent upon the recognition of the sovereignty of God and the brotherhood of man. * * * I believe that we should pray earnestly that God may guide our leaders in making a just peace.

Horace Hildreth, Governor of Maine:

I am of the opinion that any program which will coordinate the thinking and action of the religious bodies of this country for purposes of maintaining peace throughout the world is commendable. It should, of course, receive the support of our serious-thinking people.

These are examples of a great number of expressions I have received from persons prominent in religious and official circles. Along with them has come a deluge of expressions of commendation and approval from persons in the common walks of life who are hoping and praying for a lasting peace based on justice.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield with pleasure.

Mr. REES of Kansas. Mr. Speaker, may I say I am very much impressed by the splendid statement of the gentleman from Indiana. I am certainly in accord with his views that the organization he has described, the religious advisory council, ought to be established and be made effective because I do really believe that this organization could do a great deal in bringing about a just peace in this world.

Mr. LUDLOW. I thank the gentleman very sincerely for his remarks and appreciate it very much as part of my speech.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mrs. ROGERS] is recognized for 15 minutes.

PUNISHMENT OF WAR CRIMINALS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to remind the House that we so soon forget. In the early thirties, in the days when Hitler was persecuting minorities, I rose in the House and made protests against the persecution of those minorities. I was somewhat criticized at the time, Mr. Speaker, and someone said to me the reports of persecutions may be propaganda. I knew it was not propaganda, and I felt, Mr. Speaker, that the acts of Hitler at that time were the acts of a barbarian and the acts of a diseased mind. I felt, Mr. Speaker, that apart from the inhumanity of his acts that they would have very far-reaching repercussions. I begged the House and the country, Mr. Speaker, for us to take measures for a stronger Army and a stronger Navy. I made a protest against the acts of Japan at that date and at a later date.

I want to remind the House and the country, Mr. Speaker, that in the future we must not forget. For years there were many vicious threats against my life from persons in the United States, and I felt at that time the Hitler propaganda was very far-reaching not only in our own country but all over the world. At the present time this country is becoming more and more outraged by the atrocities of the Nazis against the prisoners in Germany. And General Eisenhower has asked Members of Congress to see with their own eyes those atrocities, and the Speaker already has sent such a committee. Even in the Dark Ages, Mr. Speaker, there was not such wholesale barbarism, such wholesale and unmitigated cruelty. From the families of soldiers all over the United States protests are pouring in against the treatment of prisoners, both military and civilian.

It was said that the people in Germany itself, in the interior, did not want these atrocities to happen, were not willing to have the prisoners treated barbarously, but I find upon looking into the matter that the farther into Germany you go, the nearer the center of Germany you get, the more barbarous, the more inhuman is the treatment of both civilian and military prisoners. On the border of Germany the treatment was not quite so severe. It proves to my mind, Mr. Speaker, that the German people, the civilians, are just as active in these barbarous practices as are the military and the overlords of Hitler.

In our country if a man kills someone, that man is hanged. The people of the United States are asking vengeance today. We cannot work out at this moment the solution or the proper punishment, but I am sure that will come, and I hope quickly. I remind the House that German prisoners in this country have been treated extraordinarily kindly. They are well fed, whereas our men who are prisoners, and the military prisoners of other countries, have been starved and tortured. The problem of whether those German prisoners who are well fed in this country are to go back to Germany or whether they should be taken in charge by the countries the Germans have occupied and have treated so badly; whether they should be made to work to reconstruct those countries, under strict discipline, I do not know the answer. Certainly Germany must never again be allowed to perpetrate the same crimes against civilization. Germany must never again be allowed to follow the same dreadful philosophy and teaching of the Nazi form of government. We look with unspeakable horror upon all that Hitler has taught. I told the House upon my return from the European theater of war of the fanaticism of the German prisoners of war both of the well and the sick German prisoner patients.

I think constantly of countries who receive back undernourished, starved men from prisoner-of-war camps in Germany. Mr. Speaker, certainly our men who are brought back from the prison camps of Germany must receive at once the kindest, the most generous, the most helpful treatment at the hands of our own Government. I introduced, Mr. Speaker, on April 17 H. R. 2920, a bill

which would establish a Department of Veterans' Affairs, for I feel it is the only way that our returned veterans can possibly receive any real measure of justice from our Government. Mr. Speaker, when our soldiers are discharged from hospitals it seems sometimes as if the excitement has died down for them and also for the public. It seems sometimes as if they are forgotten by the fact that their Government does not give them prompt care and prompt attention. There are not so many Red Cross nurses, there are not so many visitors as in the Army and Navy hospitals. I believe that by establishing a Department of Veterans' Affairs, with a Secretary of the Department who shall sit at the Cabinet table, with an Under Secretary for Veterans' Affairs, and five Assistant Secretaries, one of whom shall be known as the Surgeon General, another as the Assistant for Legal Counsel, I believe that with such an organization the veterans will receive more prompt attention than they receive today.

I have recently been making an inspection of hospitals, an inspection of the administration of the veterans' regional offices, district offices, and I find that many of the errors of care and the lack of proper hospital attention, medical nursing, and otherwise, prompt adjudication of compensation and insurance claims, and lack of prompt attention to the benefits under the GI bill of rights are the results of having an organization in Washington with no power. The Veterans' Administration today is only a bureau. We hear a great deal of talk about decentralization and giving more authority to the regional offices of the Veterans' Administration. This will be helpful, but there must be, Mr. Speaker, a strong and powerful office at Washington, with a Secretary to sit at the Cabinet meetings.

Mr. RAMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes; I shall be glad to yield to the gentleman from Ohio, who is so active in the veterans' behalf.

Mr. RAMEY. As a member of the World War Veterans' Committee I visited the same as did the gentlewoman from Massachusetts eight hospitals in the country. I concur in the gentlewoman's judgment that where there has been a lack of care it has not been the fault of the managers of the hospitals, for they have been doing the best they can with what they have been able to secure as far as assistance is concerned, but there seems to be some lack of power.

Mrs. ROGERS of Massachusetts. I believe the gentleman also feels that we should have within the Department a permanent medical corps of doctors, nurses, dietitians, physiotherapists attendants and associates that will go on year after year with a chance for promotion on merit, an incentive for the best outside doctors to give medical aid, giving the benefit of their skill. I found in the hospitals some aggravated conditions caused by a shortage of doctors and nurses.

Mr. RAMEY. And of attendants.

Mrs. ROGERS of Massachusetts. I believe the gentleman will also agree

with me that there was a shortage of nurses.

Mr. RAMEY. That is correct, a shortage of doctors and nurses, but mostly of attendants.

Mr. RAMEY. I concur with the judgment of the gentlewoman from Massachusetts, that there should be a Cabinet position to take care of the needs of the veterans.

Mrs. ROGERS of Massachusetts. A member of the Cabinet to sit with other members of the Cabinet with the President. General Hines has complained that he could not get the priorities in order to build hospitals and hospital facilities. He could not get this, that, or the other equipment with which to run his Bureau.

Mr. RAMEY. And you cannot ask for a priority when a veteran's life is at stake.

Mrs. ROGERS of Massachusetts. No. There should be some Cabinet member to present the problems to the other Cabinet members and to fight for the veterans' rights. It is appalling that the Department of Agriculture, in the care and the feeding of animals and in the loans and subsidies, should have more persons employed than are employed in the care of disabled veterans.

Mr. RAMEY. And the Veterans' Bureau, of course, will be the outstanding Bureau in this country.

Mrs. ROGERS of Massachusetts. Yes. There is no excuse for not making it strong enough in order to take care properly of the needs of the veterans. Shortly there will be 12,000,000 men and women who may avail themselves of its services, and later there will be 15,000,000, counting dependents. It is the least the Government can do for its service men and women.

Mr. RAMEY. And only real vigilance can be secured by direct authority from the Capitol.

Mrs. ROGERS of Massachusetts. Also, there is no excuse for unnecessary personnel in some of these offices in Washington and throughout the country, unnecessary jobs, when the Veterans' Administration is 14,000 short of complete personnel. Another reason why there should be a Department of Veterans' Affairs is because it will bring up the standard of pay for the personnel in the Veterans' Administration or in the Veterans' Department. I am told that at the present time it has the lowest paid personnel in any of the bureaus or departments.

Mr. RAMEY. The attendants get only \$110 a month.

Mrs. ROGERS of Massachusetts. And nurses are under Civil Service and are poorly paid. We must have adequate personnel particularly in spinal-cord cases. There should be one nurse for four cases.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

Under previous order of the House, the Chair recognizes the gentleman from Ohio [Mr. RAMEY] for 5 minutes.

Mr. RAMEY. Mr. Speaker, at the beginning of this session of Congress I introduced House Joint Resolution 72, containing a proposed amendment to the

Constitution of the United States empowering a majority of both Houses of Congress to validate treaties by a majority vote. The Judiciary Committee has acted favorably on House Joint Resolution 60, a resolution similar to mine. The Rules Committee has granted a rule for the consideration of this measure and I hope the House will have the opportunity to vote on this most important question in the near future.

This is a most fundamental question. It deals with revision of our constitutional machinery for making peace. I am thoroughly convinced that a vast majority of the American people wish this constitutional reform. Since introducing House Joint Resolution 72 I have received many letters expressing approval of the proposed amendment. Organization after organization from one end of this country to the other has adopted resolutions expressing the desire that such an amendment be acted upon at once. It is the obligation of this Congress to present this amendment to the State legislatures so that the people may express themselves on this much-needed change.

The Toledo Bar Association is one of the leading bar associations in the United States. It has furnished some of the outstanding members of the bench and the bar in this country. I mention only the following: The late Charles W. Racine, who was slated to be the president of the American Bar Association; Milo Warner, recently the national commander of the American Legion; and the Honorable Paul W. Alexander, president of the Juvenile Judges Association of America. The Toledo Bar Association, in accordance with its outstanding characteristic of forward-looking action, adopted on March 17 a resolution memorializing Congress on the amendment to give a majority of the national legislature a voice in treaty making. The resolution is as follows:

Whereas the Constitution of the United States now provides that the President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, although it is possible under the Constitution for a majority of both Houses of Congress to declare war; and

Whereas the magnitude of our responsibility in making the peace is in our opinion as important as that of entering war; and

Whereas it is the consensus of opinion of the Toledo Bar Association that it would be conducive to the promotion of good will and the establishment of permanent peace if article 2, section 2, of the United States Constitution were amended so that it would provide that a majority of both Houses of Congress would have the power to make treaties; and

Whereas House Joint Resolution 72, introduced by the Honorable HOMER A. RAMEY, of the Ninth Congressional District of Ohio, embodies the provisions which would initiate proceedings to amend the United States Constitution as hereinabove indicated: Be it

Resolved, That the Toledo Bar Association, at a regular meeting held in Toledo, Ohio, on March 17, 1945, hereby endorses the provisions of House Joint Resolution 72, introduced by Hon. HOMER A. RAMEY, and urges prompt and favorable action thereon; and be it further

Resolved, That a copy of this resolution be forwarded promptly to the Honorable HOMER

A. RAMEY, House of Representatives, Washington, D. C.; Hon. ROBERT A. TAFT, Senate, Washington, D. C.; Hon. HAROLD H. BURTON, Senate, Washington, D. C.; and Hon. Edward L. Stettinius, Secretary of State, Washington, D. C.

THE TOLEDO BAR ASSOCIATION,

By LOUIS R. YOUNG, Secretary.

Dated at Toledo, Ohio, March 17, 1945.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RYTER (at the request of Mr. KOPPLEMANN), for 10 days, on account of illness in his family.

To Mr. THOMASON, for 2 weeks, on account of having gone overseas on important official business.

To Mr. POWELL, Jr., for an indefinite period, on account of the death of his mother.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt; to the Committee on the Post Office and Post Roads.

ENROLLED BILLS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 105. An act to extend the life of the Smaller War Plants Corporation.

ADJOURNMENT

Mr. FLOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.), the House adjourned until tomorrow, Tuesday, April 24, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 o'clock a. m. on Tuesday, April 24, 1945.

COMMITTEE ON RIVERS AND HARBORS

The Beach Erosion Subcommittee of the Committee on Rivers and Harbors will hold a public hearing on H. R. 2032 and H. R. 2033, Tuesday, April 24, 1945, at 10:30 a. m.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m., on Thursday, April

26, 1945, in the committee room, 356 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

406. A letter from the Secretary of Agriculture, transmitting quarterly estimates of personnel requirements for each of the Department's reporting units for the quarter ending March 31, 1945; to the Committee on the Civil Service.

407. A communication from the President of the United States, transmitting for the consideration of the Congress proposed provisions pertaining to estimates for the fiscal year 1946 for the Federal Security Agency in the form of amendments to the Budget for said fiscal year (H. Doc. No. 152); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 2585. A bill to amend the District of Columbia Code; without amendment (Rept. No. 434). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 2839. A bill to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia; without amendment (Rept. No. 425). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ERVIN:

H. R. 2980. A bill to create and establish a Foreign Service Institution; to the Committee on Foreign Affairs.

By Mr. BARRETT, of Wyoming:

H. R. 2981. A bill to authorize the construction of certain Federal reclamation works in the upper basin of the Colorado River; to the Committee on Irrigation and Reclamation.

By Mr. CANNON of Florida:

H. R. 2982. A bill to provide fair and just compensation for the use of certain hotels and apartment buildings by the United States; to the Committee on Military Affairs.

By Mr. CELLER:

H. R. 2983. A bill to amend section 3540 of the Revenue Act of 1941, entitled "Use of Motor Vehicle Tax"; to the Committee on Ways and Means.

H. R. 2984. A bill to permit officers of the Army and Navy, commissioned since December 7, 1941, to continue to hold their public offices while on active duty during the war; to the Committee on Military Affairs.

H. R. 2985. A bill to repeal section 1505 of the Servicemen's Readjustment Act of 1944; to the Committee on World War Veterans' Legislation.

By Mr. FLOOD:

H. R. 2986. A bill to change the name of the National Naval Medical Center at Bethesda, Md.; to the Committee on Naval Affairs.

By Mr. GEARHART:

H. R. 2987. A bill to provide for a service credit for veterans for the purposes of title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. HOOK:

H. R. 2988. A bill to amend section 24 of the Immigration Act of February 5, 1917; to

the Committee on Immigration and Naturalization.

By Mr. HUBER:

H. R. 2989. A bill to facilitate transfer of veterans being discharged from the armed forces, and who are in need of treatment, to the Veterans' Administration facility nearest their home; to the Committee on World War Veterans' Legislation.

By Mr. GATHINGS:

H. R. 2990. A bill to provide certain individuals desiring to visit relatives remaining in the land and naval forces after the present war with transportation at cost; to the Committee on Military Affairs.

By Mr. MCGREGOR:

H. R. 2991. A bill to furnish enlisted personnel with transportation to their homes and with 30-day leave immediately prior to their honorable discharge from the armed forces; to the Committee on Military Affairs.

By Mr. MAY:

H. R. 2992. A bill to extend the provisions of the act of July 11, 1941 (Public Law 163, 77th Cong.); to the Committee on Military Affairs.

By Mr. PHILLIPS:

H. R. 2993. A bill granting to the Imperial Irrigation district certain lands of the United States in the counties of Imperial, Riverside, and San Diego, in the State of California; to the Committee on Irrigation and Reclamation.

By Mr. RANDOLPH:

H. R. 2994. A bill to provide for the reconversion of small industries to civilian production, to expedite the reentry into business of small businessmen whose businesses have been curtailed or closed because of war emergencies, to aid men and women of our armed forces and others who desire to enter into business on their own after the war, and to encourage the free flow of American capital into small- and intermediate-sized enterprises, by the establishment of a permanent Small Business Finance Corporation within the Federal Reserve System to assist financing institutions in making short- and long-term credit available to small- and intermediate-sized enterprises; to the Committee on Banking and Currency.

By Mr. RANDOLPH (by request):

H. R. 2995. A bill to amend an act entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," approved June 19, 1878, as amended; to the Committee on the District of Columbia.

By Mr. SIKES:

H. R. 2996. A bill to include in national service life insurance policies certain benefits contained in United States Government life insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. SHORT:

H. R. 2997. A bill to provide that the memorial stadium to be erected in the District of Columbia shall be known as the Ernest Taylor Pyle Stadium; to the Committee on the District of Columbia.

By Mr. HAGEN:

H. R. 2998. A bill to amend the Servicemen's Dependents Allowance Act of 1942 to provide that enlisted men make increased contributions to the support of certain of their children; to the Committee on Military Affairs.

By Mr. HARLESS of Arizona:

H. R. 2999. A bill to provide retirement pay for certain members of the armed forces; to the Committee on Military Affairs.

By Mr. SPENCE:

H. R. 3000. A bill to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAGEN:

H. R. 3001. A bill to provide that the tax upon the use of motor vehicles shall not be applicable after July 1, 1945; to the Committee on Ways and Means.

By Mr. LESINSKI:

H. R. 3002. A bill to authorize the appropriation of funds to assist the States in more adequately financing education and in removing substandard conditions in education, to aid in establishing and maintaining education services, to eradicate illiteracy, to preserve and promote the national security in peace and in war, to raise the educational level of the Nation, and to promote the general welfare; to the Committee on Education.

By Mr. BROOKS:

H. J. Res. 161. Joint resolution to create a War Atrocities Commission to obtain, publish, and preserve a record of atrocities of the Axis Powers; to the Committee on Foreign Affairs.

By Mr. COLE of New York:

H. J. Res. 162. Joint resolution providing for the acquisition of exclusive ownership of the photograph depicting raising the American flag on Mount Suribachi, Iwo Jima; to the Committee on Naval Affairs.

By Mr. FLOOD:

H. J. Res. 163. Joint resolution creating a commission to investigate all facts relating to atrocities and abuses of civilians and military personnel in enemy camps, concentration camps, slave-labor centers, and places of a like nature, and of all war criminals and war crimes, and to report to the United Nations War Crimes Commission and to the San Francisco Conference; to the Committee on Foreign Affairs.

By Mr. GRANT of Indiana:

H. J. Res. 164. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. JOHNSON of Indiana:

H. J. Res. 165. Joint resolution authorizing the President to award posthumously in the name of Congress a medal of honor to the late Ernie Pyle; to the Committee on Military Affairs.

By Mr. LUDLOW:

H. J. Res. 166. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. SPRINGER:

H. J. Res. 167. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. VOORHIS of California:

H. J. Res. 168. Joint resolution designating the birthday of Franklin Delano Roosevelt as a legal holiday; to the Committee on the Judiciary.

H. J. Res. 169. Joint resolution to designate payments to disabled veterans as partial repayment of debt owed and not as gratuities; to the Committee on World War Veterans' Legislation.

By Mr. GILLIE:

H. J. Res. 170. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. LEMKE:

H. J. Res. 171. Joint resolution relating to acquiring and disposing of public and governmental lands, and providing that the Government, and the various departments and agencies of the Government, be bound by the promises and representations of its local agents in the acquiring and disposition of public and government lands; to the Committee on the Public Lands.

By Mr. GOSSETT:

H. Con. Res. 46. Concurrent resolution creating a joint committee to make an investigation with respect to war criminals and war crimes and atrocities; to the Committee on Rules.

By Mr. McDONOUGH:

H. Con. Res. 47. Concurrent resolution expressing the sense of Congress that members of the United States delegation at all future peace conferences advocate and urge the adoption of freedom of religion, freedom of speech and of the press by the delegates from all nations assembled; to the Committee on Foreign Affairs.

By Mr. BENNET of New York:

H. Res. 225. Resolution requesting that immediate action be taken to impress the German people with their responsibility for war crimes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to establish a regional office under the United States Veterans' Administration in the Territory of Hawaii; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to enact legislation to include under the provisions of the Social Security Act individual employers of employees covered by said act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to enact legislation to prevent counties, cities, or other subdivisions of any State from imposing income, wage, or other similar taxes upon nonresidents of such State; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Michigan memorializing the President and the Congress of the United States to take such action as may be necessary to direct and require the Office of Price Administration to take better off the ration list, in recognition of the true situation with respect to the dairy industry; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of New Mexico:

H. R. 3003. A bill for the relief of Mary G. Paul; to the Committee on Claims.

By Mr. BARRY:

H. R. 3004. A bill for the relief of Lawrence Amodio; to the Committee on Claims.

By Mr. BATES of Massachusetts:

H. R. 3005. A bill for the relief of Harold Palkin; to the Committee on Immigration and Naturalization.

By Mr. BOYKIN:

H. R. 3006. A bill for the relief of the Elmira Area Soaring Corporation; to the Committee on Claims.

By Mr. BROWN of Georgia:

H. R. 3007. A bill for the relief of Russell F. Taylor; to the Committee on Claims.

By Mr. CARNAHAN:

H. R. 3008. A bill for the relief of Don Hicks; to the Committee on Claims.

By Mr. FLOOD:

H. R. 3009. A bill for the relief of Paul V. Eisner; to the Committee on Immigration and Naturalization.

By Mr. HINSHAW:

H. R. 3010. A bill for the relief of Mrs. Marie Edens Nast, Mrs. Bessie Amann, and George R. Townsend; to the Committee on Claims.

By Mr. LANDIS:

H. R. 3011. A bill for the relief of John Hames; to the Committee on Claims.

By Mr. LARCADE:

H. R. 3012. A bill for the relief of George W. Murrell and Kirby Murrell, a minor; to the Committee on Claims.

By Mr. LEMKE:

H. R. 3013. A bill for the relief of Harry J. Monroe; to the Committee on Military Affairs.

By Mr. McDONOUGH:

H. R. 3014. A bill for the relief of Stanley S. Kutkowsky; to the Committee on Pensions.

By Mr. McGEHEE:

H. R. 3015. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944; to the Committee on Claims.

H. R. 3016. A bill for the relief of Howard W. Nixon; to the Committee on Claims.

H. R. 3017. A bill for the relief of the Mayor and Board of Aldermen of the Town of Centerville, Wilkinson County, Mass.; to the Committee on Claims.

By Mr. McMILLAN:

H. R. 3018. A bill for the relief of R. Fred Baker and Crystal R. Stribling; to the Committee on Claims.

H. R. 3019. A bill for the relief of Jordan Truck Lines; to the Committee on Claims.

H. R. 3020. A bill for the relief of Mrs. Carrie M. Lee; to the Committee on Claims.

By Mr. PRICE of Illinois:

H. R. 3021. A bill for the relief of Mr. and Mrs. J. F. Brokaw, Mr. and Mrs. Earl Gunther, and James G. Cooney; to the Committee on Claims.

By Mr. RANDOLPH:

H. R. 3022. A bill granting a pension to Clara V. Crossland; to the Committee on Pensions.

By Mr. SHORT:

H. R. 3023. A bill for the relief of Walter Weston Pierce; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

416. By Mr. ANDERSON of New Mexico: Petition of the Seventeenth Legislature of New Mexico, memorializing and requesting the Congress of the United States of America to enact a law granting 10,000,000 acres of land from the public lands of the United States of America, situated in the State of New Mexico, in trust to the said State of New Mexico, under the same restrictions and limitations as previous grants under provisions of the act of June 20, 1910 (36 Stat. 557) and for the benefit of the home and training school for mental defectives, etc.; to the Committee on the Public Lands.

417. By Mr. GEELAN: Petition adopted by the Polish Central Council of New Haven, Conn., protesting against the partitioning of Poland by ceding to Russia all territory east of the so-called Curzon line, and the recognition of any government save that of the only legal and constitutional Polish Government-in-Exile in London, and condemning the abandonment of the noble principles of the Atlantic Charter in favor of political spheres of influence which will sow the seeds for future discords and wars in Europe and in the world; said resolution being signed by Richard T. Mokrzyński, president, and Stanisław Dłużewski, secretary to the Committee on Foreign Affairs.

418. Also, petition forwarded by Matthew J. Voketitis, president of the United Lithuanian Organization of New Haven, Conn., and adopted by that organization regarding

the partitioning of Lithuania and that the United States continue to recognize the sovereignty of the Republic of Lithuania; to the Committee on Foreign Affairs.

419. By Mr. HOEVEN: Petition of Rev. Francis Martin Ruland and other citizens of Sioux City, Iowa, in opposition to any representation of organized religion at the peace conference unless representation is open to every denomination and sect, and then only in an advisory capacity, where the interests of constituencies are concerned; to the Committee on Foreign Affairs.

420. Also, petition of Rev. Francis Martin Ruland and other citizens of Sioux City, Iowa, in opposition to the passage of any postwar conscription measure until after the final cessation of present hostilities, and until a thorough formation of a plan has been presented to the American people in a plebiscite; to the Committee on Military Affairs.

421. Also, petition of Rev. Francis Martin Ruland and other citizens of Sioux City, Iowa, in opposition to personal representation of the President of the United States at the Vatican and to formal ambassadorship from the United States to the Vatican; to the Committee on Foreign Affairs.

422. By Mr. MCGREGOR: Petition of sundry citizens of Richland County, Ohio, protesting transfer of troops from the European theater of war to the Pacific battle fronts; to the Committee on Military Affairs.

423. By Mr. MERROW: Petition adopted by the board of directors of the New England Farm Equipment Dealers' Association, favoring the erasure of Federal tax exemptions to any and all groups in competition with tax-paying business that the original constitutional concept of tax equality may again be realized; to the Committee on Ways and Means.

424. By the SPEAKER: Petition of the Filipino Community Council of Honolulu, petitioning consideration of their resolution with reference to expression of thankfulness for the prompt passage of the Filipino naturalization bill in the House of Representatives; to the Committee on Immigration and Naturalization.

425. Also, petition of the crew of the S. S. Santa Marta, United Fruit Co., with 48 signatures, petitioning consideration of their resolution with reference to enactment of a merchant seamen's bill of rights along the lines of the one passed by a grateful Nation in behalf of our armed forces; to the Committee on the Merchant Marine and Fisheries.

426. Also, petition of the City Council of the City of Cambridge, Mass., petitioning consideration of their resolution with reference to favorable passage of the merchant seamen's bill of rights, to the Committee on the Merchant Marine and Fisheries.

SENATE

TUESDAY, APRIL 24, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of all mankind, whose heart is wide to harbor all our race yet knoweth each as a shepherd knows his sheep, in all our aimless wanderings we turn unfilled to Thee, the Good Shepherd, for it is Thy rod and Thy staff that comfort

us. May Thy goodness and mercy follow those who from this Chamber have sped to the east to witness the ghastly exhibit of human perversity at its worst and those who have journeyed to the west to vow with freemen, whose faith and arms have brought arrogant tyranny to the dust, that under God there shall be a new birth of freedom and enduring peace in all the earth. May this convening congress of freemen by the side of the vast sea herald the fulfillment at last of every prophet's dream of a golden day for all the sundered sons of the one Father—

"When the war drums throb no longer
And the battle flags are furled
In the parliament of man—
The federation of the world."

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 23, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on April 23, 1945, the President had approved and signed the following acts:

S 288 An act for the relief of the Lawrence Motor Co., Inc.;

S 530. An act authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes; and

S 531. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, Calif.

THE SHORTAGE OF FARM LABOR

Mr. WILEY. Mr. President, a week ago the Senate by unanimous vote adopted an amendment to the national draft law which would forestall the effects of the arbitrary selective-service ruling which was stripping the farms of needed and irreplaceable help. Last week, also, I addressed a letter to the Secretary of Agriculture, the War Manpower Director, and the Director of Selective Service, respectively, requesting that they immediately confer with one another and with the military in order to institute remedial measures which would get more hands on the farms. I ask unanimous consent that this letter be printed in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(The letter is as follows:)

APRIL 21, 1945.

HON. CLAUDE R. WICKARD,
Secretary of Agriculture,
Washington, D. C.

DEAR SECRETARY WICKARD: I am certain that in view of the tremendous drain which is going to be put upon America to provide for the starving and undernourished millions in Europe, you cannot be unaware of the imperative need of immediately getting more help back on the farms, into food production

plants, the milk and cheese factories, canneries, etc. You cannot be unaware of the fact that only by providing more hands for agricultural production can we be adequate to the challenge which has been placed upon us.

You know what has happened, for example, in Holland, with the land inundated, the livestock gone, the people hungry. All across the European Continent the fields that could be producing are black with the wastage of war. The hands that could be at work on them are dispersed, and when they are available are often sick and undernourished.

We cannot allow those whom we have liberated to starve.

I am, therefore, respectfully asking of you that you get together with the military and explore every possible means by which more agricultural help may be made available for food production, for example, through the release of needed workers now in the armed forces.

Time is crucial. Indecision, buck passing, or excuses of today will have terrible repercussions tomorrow. I implore you on behalf of America's nutritional welfare, on behalf of that of our fighting sons and daughters and that of our millions of allies, those under arms and civilians, to confer and take constructive action at the earliest possible moment.

I shall be awaiting definite word from you. With kind regards, I remain,

Sincerely yours,

ALEXANDER WILEY.

(Same letter sent to Maj. Gen. Lewis B. Hershey, Director, National Selective Service, and War Manpower Director Paul V. McNutt.)

Mr. WILEY. Mr. President, evidences are mounting at every hand pointing to the gravity of the farm help situation. The draft and migration to the cities have wrought a tremendous reduction in the farm force. Right now farm labor employment is at its lowest seasonal level since the Government started keeping records of it 21 years ago. The farm labor force is estimated to be 8,500,000 persons, including a little less than 7,000,000 family workers and 1,500,000 hired workers. This force is 150,000 persons below that of a year ago. This morning's newspapers carry the report of 750,000 seasonal women workers being needed to harvest 1945 crops.

Not only has the farm labor supply declined in quantity, it has also deteriorated as regards quality. Because there is so much inexperienced help on the farms, there is unprecedented breakage in the handling of farm machinery, and, furthermore, the War Production Board has recently drastically slashed the production of new farm equipment.

On the other side of the picture, the farmer is confronted with spectacular demands and is valiantly striving to meet them; 363,000,000 acres are being planted this year. The largest wheat crop ever produced in this country is forecast by the United States Department of Agriculture.

The dairy picture presents the same challenging story. Last year lend-lease deliveries of food and other agricultural products to our allies totaled seven and one-fourth billion pounds. Of this figure, dairy deliveries totaled one and three-eighths billion pounds and were second only to shipments of meat and meat products at two and one-fourth billion pounds. In 1944, out of every dollar